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## Senate

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord and Master of us all, midst the tumult of these earth-shaking days with all their angry fury, we come to this shrine of Thy grace seeking the unshaken assurance of those whose minds are stayed on Thee. At this altar of prayer in the radiant afterglow of Easter, with its thrilling message of the risen life, steady us with the realization that back of all the dark tragedy now plaguing the world there is the permanent good of Thy purpose for all mankind, in which we may believe and to which we must be loyal if life is to be saved from frustration at last.

And so, returning to the pressing problems of state, we beseech Thee, empower these servants of the Nation's welfare to bring to their waiting tasks minds to be illumined with kindling thoughts that flame for Thee and for all Thy children, lips to be touched by the burning coals of Thy cleansing that Thou mayest speak through them, wills that glow with holy zeal to do Thy will, and eyes that may see the invisible with the far look of a faith in things that shall abide beyond our earthly years. And so we pray that Thou wilt direct, control, suggest, this day, all we design or do or say. We ask it in the dear Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 29, 1956, was dispensed with.

### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of March 29, 1956, the following message from the House was received by the Secretary of the Senate:

On March 30, 1956:

The message announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 101. An act to grant the status of permanent residence in the United States to certain aliens;

S. 117. An act to grant the status of permanent residence in the United States to certain aliens;

S. 213. An act to grant the status of permanent residence in the United States to certain aliens and to cancel deportation proceedings in the cases of certain aliens;

S. 315. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 396. An act to facilitate the admission into the United States of certain aliens;

S. 500. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes;

S. 663. An act for the relief of William T. Collins (Vasilios T. Buzunis);

S. 963. An act for the relief of certain aliens;

S. 1242. An act for the relief of certain aliens;

S. 1289. An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes;

H. R. 1667. An act for the relief of Lieselotte Boehme;

S. J. Res. 122. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress;

S. J. Res. 123. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress; and

S. J. Res. 124. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

### REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of March 28, 1956, the following reports of committees were submitted:

On April 2, 1956:

By Mr. MORSE, from the Committee on the District of Columbia;

H. R. 4909. A bill relative to the consolidation of the National Tax Association, a corporation organized under the laws of the District of Columbia, with the Tax Institute, Inc., a corporation organized under the

membership-corporations law of the State of New York, in accordance with the applicable provisions of the membership-corporations law of the State of New York; with amendments (Rept. No. 1722); ordered to be printed.

On April 3, 1956:

By Mr. SMATHERS, from the Select Committee on Small Business:

A report entitled "Military Procurement—1956—Volume 1" (Rept. No. 1723); ordered to be printed.

Pursuant to the order of the Senate of March 29, 1956:

On April 7, 1956:

Mr. GEORGE, from the Select Committee for Contribution Investigation pursuant to Senate Resolution 205 establishing a select committee to investigate circumstances involving alleged improper attempts through political contributions to influence the vote of Senator CASE of South Dakota on the so-called natural-gas bill (Rept. No. 1724); ordered to be printed.

### ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED DURING ADJOURNMENT

Under authority of the order of March 29, 1956,

The Secretary of the Senate reported that on March 30, 1956, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 101. An act to grant the status of permanent residence in the United States to certain aliens;

S. 117. An act to grant the status of permanent residence in the United States to certain aliens;

S. 213. An act to grant the status of permanent residence in the United States to certain aliens and to cancel deportation proceedings in the cases of certain aliens;

S. 315. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 396. An act to facilitate the admission into the United States of certain aliens;

S. 500. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes;

S. 663. An act for the relief of William T. Collins (Vasilios T. Buzunis);

S. 963. An act for the relief of certain aliens;

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S. 1242. An act for the relief of certain aliens;

S. 1249. An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes;

S. J. Res. 122. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress;

S. J. Res. 123. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress; and

S. J. Res. 124. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On March 29, 1956:

S. 1271. An act to authorize the appointment in a civilian position in the Department of Justice of Brig. Gen. Edwin B. Howard, United States Army, retired, and for other purposes;

S. 1272. An act to authorize the appointment in a civilian position in the Department of Justice of Maj. Gen. Frank H. Partridge, United States Army, retired, and for other purposes;

S. 1585. An act to provide for the return to the town of Hartford, Vt., of certain land which was donated by such town to the United States as a site for a veterans' hospital and which is no longer needed for such purposes; and

S. 3452. An act to amend the act of July 15, 1955, Public Law 161, 84th Congress (69 Stat. 324), by increasing the appropriation authorization for the aircraft control and warning system.

On April 2, 1956:

S. 780. An act for the relief of Pietro Meduri;

S. 1992. An act to provide for the conveyance of a certain tract of land in Madison County, Ky., to the Pioneer National Monument Association; and

S. J. Res. 95. Joint resolution to authorize the American Battle Monuments Commission to prepare plans and estimate for the erection of a suitable memorial to Gen. John J. Pershing.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Lewis R. Knox to be postmaster at Helena, Mont., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### REPORT ON OPERATION OF UNIFORMED SERVICES CONTINGENCY OPTION ACT OF 1953—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which,

with the accompanying report, was referred to the Committee on Armed Services:

#### To the Congress of the United States:

Pursuant to the provisions of section 8 of the Uniformed Services Contingency Option Act of 1953 (Public Law 239, 83d Cong.), I transmit herewith for the information of the Congress the First Annual Report of the Operation of the Uniformed Services Contingency Option Act of 1953.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, April 9, 1956.

#### REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on the District of Columbia:

#### To the Congress of the United States:

In accordance with the provisions of section 5 (a) of Public Law 307, 73d Congress, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1955.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, April 9, 1956.

(NOTE.—Only copy of report transmitted to the House of Representatives.)

#### BOARD OF VISITORS TO UNITED STATES AIR FORCE ACADEMY

The VICE PRESIDENT. The Chair appoints the Senator from Minnesota [Mr. THYE] as a member of the Board of Visitors to the United States Air Force Academy, under title 10, United States Code, section 1056, vice the Senator from Maine [Mrs. SMITH].

#### ESTABLISHMENT OF JOINT COM- MITTEE ON CENTRAL INTELLI- GENCE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1595, Senate Concurrent Resolution 2.

The VICE PRESIDENT. The clerk will state the concurrent resolution by title.

The LEGISLATIVE CLERK. A resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. HAYDEN. Mr. President, reserving the right to object, I should like to inquire if this is the measure on which an agreement to vote next Wednesday is to be proposed.

Mr. JOHNSON of Texas. The Senator from Texas proposes to propound such a unanimous-consent agreement as soon as there is a quorum call. The Senator from Texas will propound the agreement in accordance with the con-

versation with the Senator from Arizona.

The Senator from Texas has so drafted the unanimous-consent request, and intends to propound it as soon as the absence of a quorum can be suggested.

The VICE PRESIDENT. Is there objection to the unanimous-consent request to proceed to the present consideration of Senate Concurrent Resolution 2?

There being no objection, the Senate proceeded to consider the resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence, which had been reported from the Committee on Rules and Administration with amendments.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, on behalf of myself, the distinguished minority leader [Mr. KNOWLAND], the distinguished junior Senator from Montana [Mr. MANSFIELD], and the distinguished senior Senator from Arizona [Mr. HAYDEN], I have sent to the desk a proposed unanimous-consent agreement. I asked that it be read.

The VICE PRESIDENT. The proposed agreement will be stated.

The legislative clerk read as follows:

Ordered, That, effective on Wednesday, April 11, 1956, at the conclusion of routine morning business, during the further consideration of the concurrent resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader; *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him; *Provided further*, That no amendment that is not germane to the provisions of the said concurrent resolution shall be received.

Ordered further, That on the question of the final passage of the said concurrent resolution debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders; *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said concurrent resolution, allot additional time to any Senator or Senators during the consideration of any amendment, motion, or appeal.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. JOHNSTON of South Carolina. Mr. President, the conference report on the farm bill probably will reach the Senate on either Wednesday or Thursday of this week. The conference report will be a privileged matter, when it is received, will it not?

The VICE PRESIDENT. Yes; it will be a privileged matter, and may be taken up whenever it is received.

Mr. JOHNSTON of South Carolina. I thank the Chair.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Without objection, the agreement is entered.

#### HOUR OF MEETING ON WEDNESDAY, APRIL 11

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes on Wednesday next, it convene at 11 o'clock a. m.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

#### LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to state that it is the intention of the leadership on both sides of the aisle to have our action on the unfinished business, the concurrent resolution relating to a Joint Committee on Central Intelligence, concluded at an early hour on Wednesday, perhaps at 1:30 or 2 p. m. If the House adopts the conference report on the farm bill by that time, it is the intention of the leadership to have action on the pending concurrent resolution followed immediately by the consideration of the conference report on the farm bill, and to have the Senate remain in session until late that evening, if necessary, in order to try to dispose of that measure.

Mr. DOUGLAS. Mr. President—

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Illinois.

Mr. DOUGLAS. Let me ask the eminent majority leader what his plans are in regard to taking up the so-called bank-holding bill.

Mr. JOHNSON of Texas. At the moment we have no plans in regard to that bill. The distinguished chairman of the subcommittee handling that measure is in Yugoslavia. I called him this morning, to see whether that measure could be brought up today. But until he returns—and I am not informed when he will be ready to have that measure brought before the Senate—I cannot make any definite announcement in that regard. I shall inform my friend, the Senator from Illinois, as soon as the Senator from Virginia [Mr. ROBERTSON] returns, and we can ascertain the schedule from him.

Mr. DOUGLAS. I thank the Senator from Texas.

#### SENATOR FROM SOUTH CAROLINA

Mr. JOHNSTON of South Carolina. Mr. President, I have before me the credentials of the Honorable THOMAS A. WOFFORD, Senator-designate from the State of South Carolina. The credentials are signed by the Governor of our State, the Honorable George Bell Timmerman, Jr. I send the credentials to the desk.

The VICE PRESIDENT. The credentials will be read.

The credentials were read by the legislative clerk, and ordered to be placed on file, as follows:

#### STATE OF SOUTH CAROLINA, EXECUTIVE OFFICE, Columbia.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Carolina, I, George Bell Timmerman, Jr., the Governor of said State, do hereby appoint, effective April 5, 1956, the Honorable THOMAS A. WOFFORD a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of the Honorable Strom Thurmond is filled by election, as provided by law.

Witness: His Excellency our Gov. George Bell Timmerman, Jr., and our seal hereto affixed at Columbia, this 20th day of March, the year of our Lord nineteen hundred fifty-six.

GEORGE BELL TIMMERMAN, JR.,  
Governor.

By the Governor:  
[SEAL] O. FRANK THORNTON,  
Secretary of State.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath of office will be administered to him.

Mr. WOFFORD, escorted by Mr. JOHNSTON of South Carolina, advanced to the Vice President's desk; and the oath of office prescribed by law was administered to him by the Vice President, and was subscribed by the new Senator.

[Applause, Senators rising.]

#### LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour there be a 2-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION TO PAY CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS (S. Doc. No. 110)

A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims for damages, audited claims, and judgments rendered against the United States, in the amount of \$752,779, together with such amounts as may be necessary to pay indefinite interest and costs and to cover increases in rates of exchange as may be necessary to pay claims in foreign currency (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

AVAILABILITY OF EMERGENCY CREDIT TO FARMERS AND STOCKMEN

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 31, 1954, as amended, so as to extend the availability of emergency credit to farmers and stockmen (with an accompanying paper); to the Committee on Agriculture and Forestry.

AMENDMENT OF COMMODITY CREDIT CORPORATION CHARTER ACT

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Commodity Credit Corporation Charter Act (with an accom-

panying paper); to the Committee on Agriculture and Forestry.

#### REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law a report on overobligations of appropriations (with accompanying papers); to the Committee on Appropriations.

#### REPORT ON NATIONAL INDUSTRIAL RESERVE

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on the National Industrial Reserve, dated April 1, 1956 (with an accompanying report); to the Committee on Armed Services.

#### EXCHANGE OF CERTAIN LANDS WITH COMMON- WEALTH OF PUERTO RICO

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to authorize the exchange of lands at the United States Naval Station, San Juan, Puerto Rico, between the Commonwealth of Puerto Rico and the United States of America (with an accompanying paper); to the Committee on Armed Services.

#### REPORT ON CONTRACTS FOR RESEARCH AND DEVELOPMENT WORK

A letter from the Deputy Assistant Secretary of Defense, Supply and Logistics, reporting, pursuant to law, that during the 6 months from July 1, 1955, through December 31, 1955, no new contracts were negotiated for research and development work; to the Committee on Armed Services.

#### AMENDMENT OF FEDERAL CIVIL DEFENSE ACT OF 1950, RELATING TO PAYMENT OF TRAVEL EXPENSES AND PER DIEM ALLOWANCES

A letter from the Administrator, Federal Civil Defense Administration, Battle Creek, Mich., transmitting a draft of proposed legislation to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

#### REPORT OF BOARD OF GOVERNORS OF FEDERAL RESERVE SYSTEM

A letter from the Chairman, Board of Governors, Federal Reserve System, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the year 1955 (with an accompanying report); to the Committee on Banking and Currency.

#### REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D. C., transmitting, pursuant to law, a report of that Administration, for the period July 1-December 31, 1955 (with an accompanying report); to the Committee on Banking and Currency.

#### REPORT OF NATIONAL CAPITAL PLANNING COMMISSION

A letter from the Acting Chairman, National Capital Planning Commission, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the fiscal year 1955 (with an accompanying report); to the Committee on the District of Columbia.

#### REPORTS ON INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program, Department of State, for the period January 1-June 30, 1955 (with an accompanying report); to the Committee on Foreign Relations.

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program, for the calendar year 1955 (with accompanying papers); to the Committee on Foreign Relations.



April 9

**AMENDMENT OF FEDERAL REGISTER ACT, RELATING TO CERTAIN PUBLIC NOTICES**

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Federal Register Act, as amended, so as to provide for the effectiveness and notice to the public of proclamations, orders, regulations, and other documents in a period following an attack or threatened attack upon the continental United States (with accompanying papers); to the Committee on Government Operations.

**AUDIT REPORT ON ALASKA RAILROAD**

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Alaska Railroad, Department of the Interior, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

**REPORT ON LITTLE WOOD RIVER PROJECT, IDAHO**

A letter from the Secretary of the Interior, transmitting, pursuant to law, his report on the Little Wood River project, Idaho (with accompanying papers); to the Committee on Interior and Insular Affairs.

**FINAL PROOF OF SETTLEMENT ON UNSURVEYED PUBLIC LAND IN ALASKA**

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

**CONVEYANCE OF HOMESTEAD ALLOTMENTS TO INDIANS OR ESKIMOS IN ALASKA**

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the conveyance of homestead allotments to Indians or Eskimos in Alaska (with an accompanying paper); to the Committee on Interior and Insular Affairs.

**AMENDMENT OF SECTION 1343 OF TITLE 18, U. S. CODE, RELATING TO FRAUD BY WIRE, RADIO, OR TELEVISION**

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

**REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES**

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of February 29, 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

**REPORT OF PACIFIC MARINE FISHERIES COMMISSION**

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, a report of that Commission, for the year 1955 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

**REPORT OF PROCEEDINGS OF ANNUAL MEETING OF JUDICIAL CONFERENCE**

A letter from the Chief Justice of the United States, Washington, D. C., transmitting, pursuant to law, a report of the proceedings of the annual meeting of the Judicial Conference of the United States, held at Washington, D. C., September 19-20, 1955 (with an accompanying report); to the Committee on the Judiciary.

**REPORT ON PAYMENT OF CLAIMS ARISING FROM CORRECTION OF MILITARY OR NAVAL RECORDS**

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on

the payment of claims arising from the correction of military or naval records, for the period July 1 through December 31, 1955 (with an accompanying report); to the Committee on the Judiciary.

**PROPOSED BIPARTISAN COMMISSION ON CIVIL RIGHTS—ADDITIONAL ASSISTANT ATTORNEY GENERAL**

A letter from the Attorney General, transmitting drafts of proposed legislation to establish a Bipartisan Commission on Civil Rights in the Executive Branch of the Government, and to provide for an additional Assistant Attorney General (with accompanying papers); to the Committee on the Judiciary.

**REPORT OF DIRECTOR OF ADMINISTRATIVE OFFICE, UNITED STATES COURTS**

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, his annual report, for the fiscal year 1955, together with the reports of the annual and special meetings of the Judicial Conference of the United States, held in 1955 (with an accompanying report); to the Committee on the Judiciary.

**REPORT OF DIRECTORS OF FEDERAL PRISON INDUSTRIES**

A letter from the Secretary, Federal Prison Industries, Inc., Department of Justice, transmitting, pursuant to law, a report of the Directors of the Federal Prison Industries, Inc., for the fiscal year 1955 (with an accompanying report); to the Committee on the Judiciary.

**TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

**ADMISSION INTO THE UNITED STATES OF CERTAIN ALIEN DEFECTORS**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain alien defectors (with accompanying papers); to the Committee on the Judiciary.

**ADMISSION OF DISPLACED PERSONS—WITHDRAWAL OF NAME**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Nikola Mirko Vujosevic or Vujosevich from a report transmitted to the Senate on May 18, 1955, pursuant to section 4 of the Displaced Persons Act of 1948, as amended, with a view to the adjustment of his immigration status (with an accompanying paper); to the Committee on the Judiciary.

**SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—WITHDRAWAL OF NAME**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Tang Tsou from a report relating to aliens whose deportation had been suspended, transmitted by him to the Senate on August 1, 1955 (with an accompanying paper); to the Committee on the Judiciary.

**SUSPENSION OF DEPORTATION OF CERTAIN ALIENS**

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompany-

ing papers); to the Committee on the Judiciary.

**GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS**

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

**EXPANSION OF TEACHING AND RESEARCH IN EDUCATION OF MENTALLY RETARDED CHILDREN**

A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies (with accompanying papers); to the Committee on Labor and Public Welfare.

**CONFORMATION OF APPOINTMENT AND COMPENSATION OF CHIEF LEGAL OFFICER, POST OFFICE DEPARTMENT**

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

**REPORT OF NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION**

A letter from the secretary, National Society of the Daughters of the American Revolution, transmitting, pursuant to law, a report of that society, for the year ended April 1, 1955 (with an accompanying report); to the Committee on Rules and Administration.

**DISPOSITION OF EXECUTIVE PAPERS**

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

**PETITIONS AND MEMORIALS**

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

**By the VICE PRESIDENT:**

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

**"Senate Joint Resolution 2**

"Joint resolution memorializing Congress to enact legislation and appropriate moneys as proposed in H. R. 4446, a bill to provide assistance to the States in the construction, modernization, additions, and improvements of domiciliary and hospital buildings of State veterans' homes by a grant to subsidize, in part, the capital outlay cost

"Whereas there is an alarming shortage of hospital and domiciliary beds in California provided by the United States Veterans' Administration for veterans of all wars;



some fun. I stood up and told the men that they were in for a lecture, and that they'd have to listen because there was no way of getting out of it at 10,000 feet. They all groaned.

I called up my 26 cadets one by one, and asked each to tell his story while I translated. My captive audience was entranced. Then I asked the cadets to sing some of their mountain songs. Tonkinese music is hauntingly beautiful, something like the ancient Hebrew liturgical chants. The men listened with rapt attention, and afterward sang American songs for the cadets. The Vietnamese loved Shake, Rattle, and Roll the best. Translate that.

That night, high over the Pacific, new bonds of friendship were formed which surmounted the barriers of language. When we finally came in over the Golden Gate the Americans had given up their seats at the windows to the Vietnamese and were excitedly trying to explain the sights by gestures and sign language. And at Travis Air Force Base I watched them file off the plane, each sailor and marine with a cadet in tow.

While I was on the west coast, I decided to visit a high school in San Diego. Its senior class had sent my refugees bundles of clothes, and I wanted to thank the various people and organizations who had responded to Operation Hat-in-Hand. Of course, that senior class was gone now. But the principal and teachers buzzed around, and I found myself scheduled to address the assembled classes of several San Diego schools.

I looked out over that sea of young faces and felt older than Father Abraham. They were noisy kids, dressed in faded blue jeans and leather jackets, some of the gals in full-blown sweaters and many of the boys with long duck-butt haircuts. When I stepped out on the platform, wearing my uniform and ribbons, there was a bedlam of wolfcalls, whistles and stomping feet.

They were tough, so I decided to shoot the works. I gave them the whole sordid story of the refugee camps, the Communist atrocities, the "Passage to Freedom" and the perilous future of southern Vietnam. I talked for an hour. You could have heard a pin drop.

When I was through, they asked questions, earnest, intelligent questions that kept me on my toes. One little girl, who couldn't have been more than 13, had to come down front in order to be heard. She took a wad of gum from her mouth before asking her question with intense seriousness.

"Dr. Dooley, what can we boys and girls really do to help improve the situation in Southeast Asia?"

Dear little girl, put back your gum, and don't be ashamed. Your heart's in the right place. I haven't met a single American who hasn't asked something like that after hearing the facts. But it's a tough question to answer.

We all want to help, but we don't know how. I guess we're all like Ensign Potts, more or less: we need only to glimpse the truth, and then the scales fall from our eyes. Only then do we begin to realize the extent of our obligations and opportunities. We lose our inhibitions, and we're no longer afraid to speak of love, compassion, generosity. Christ said it all in the three words of His greatest commandment: "Love one another."

I have no magic formula to offer. I know nothing about foreign aid in billion-dollar packages. But I do know that American aid, used wisely and generously by individual hands on a people-to-people basis, can create bonds of friendship that will be hard to sever. And we have several million willing American hands around the world if we want to use them.

Not the Navy alone, but all the services overseas. They're all made up of Bakers and Ambersons and Gleasons—we were not unique. Men in uniform have primary duties

to perform in the national defense. But without neglecting those responsibilities we can still serve the folks back home—if they want us to—as instruments of the sympathy, generosity, and love that are hallmarks of the American character.

Unless those intangibles are conveyed to people plainly, however, I'm afraid the costly programs of material aid are often wasted. They needn't be. My meager resources in Indochina did not win the people's hearts, although they helped. What turned the trick were those words "Day la vien too my" ("This is American aid")—and all that those words conveyed.

I believe that in the long run such plain help can be the decisive factor in bringing about victory for all the sacred things we stand for.

#### ESTABLISHMENT OF JOINT COMMITTEE ON CENTRAL INTELLIGENCE

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence.

Mr. MANSFIELD. Mr. President, at this time I ask unanimous consent that at the conclusion of my remarks on Senate Concurrent Resolution 2, a resolution to establish a Joint Committee on Central Intelligence, there be inserted in the Record a number of newspaper editorials and articles on the proposal to establish such a joint committee and also letters of approval of the resolution by the Citizens' Committee for the Hoover Report in the western area of the United States and a letter signed by Mr. Clarence Francis, chairman of the Citizens' Committee for the Hoover Report, both of which are in favor of the adoption of Senate Concurrent Resolution 2.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, today the Senate is considering Senate Concurrent Resolution 2, a concurrent resolution to create a Joint Committee on Central Intelligence. I have introduced similar measures on two previous occasions. However, this is the first time the proposal has come to the floor of the Senate for consideration. The concurrent resolution the Senate is considering today was cosponsored by 34 of my distinguished colleagues in the Senate.

The events of the past year have made it imperative that such a committee as is proposed be authorized before the adjournment of Congress this summer. This concurrent resolution was reported to the Senate by a majority of the members of the Committee on Rules and Administration.

To begin with, let me say that because of the very nature of the Central Intelligence Agency, I think it is important that a joint congressional committee be established for the purposes of making continued studies of the activities of the Agency and problems related to the gathering of intelligence affecting the national security. The Hoover Commission recommendations, the recent Presidential appointment of a commission to study CIA, the conflict over the site of

the new CIA headquarters building, and other incidents in the past year have only intensified my interest in seeing that such a committee is established by the Congress.

I feel that a joint congressional committee should be established and that the CIA should, as a matter of law, keep that committee as fully and as currently informed as possible with respect to its activities.

Allen Dulles, Director of CIA, may make no mistakes in assessing intelligence, but he should not be the lone judge in matters which have to do with the intentions of other nations with respect to war and peace.

Mr. President, as you know, the President recently appointed an eight-man board to review periodically the Nation's intelligence activities. This is a step forward, but not far enough to reach the goal which I and the cosponsors of Senate Concurrent Resolution 2 seek.

Mr. MORSE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I wonder if the Senator will make a brief statement at this time with regard to the nature of the jurisdiction of the proposed committee and the relationship, if any, between the President's so-called eight man board and the Congress of the United States.

Mr. MANSFIELD. I may say to the distinguished senior Senator from Oregon that there is no relationship between that board and the Congress; that the board has had its lips sealed; that it is supposed to report at least once every six months; and that the report is to be made to the President only. What that means in effect is a further arrogation of power on the part of the Executive and a diminution to that extent of the equality between the executive and the legislative.

Mr. MORSE. Will the Senator yield for a question or two, or does he prefer to complete his remarks before yielding?

Mr. MANSFIELD. I yield.

Mr. MORSE. I am honored to be a cosponsor with the Senator from Montana, of Senate Concurrent Resolution 2, and I am glad he is discussing it today, because it seems to me that once again it is important that the American people—who, after all, in the last analysis, shall we say, "own" American foreign policy—should be apprised of the fact that there is a Government agency known as the CIA which works and functions in complete secrecy, and over which the Congress really has but little authority or jurisdiction except by way of the purse strings. In my view it is very dangerous to permit such an arrangement to continue, and I think Senate Concurrent Resolution No. 2 is essential from the standpoint of maintaining a people's check on American foreign policy, to the extent that the CIA is involved in American foreign policy.

With that statement, I should like to ask a few questions. Does the Senator agree with me that since the CIA organization functions in any country in any part of the world where it may operate with the secrecy that surrounds it, so far as its relationship to the Congress is concerned, it is bound to create the impres-

Baker and I gave the little dooleys a loaf of bread each and a final delousing, and watched them shoulder their shoeshine kits and sullenly file aboard the landing craft.

They arrived safely in Saigon, and I'm sure that city hasn't been the same since.

#### *The conquerors come*

The advance guard of the Viet Minh arrived on May 4, according to schedule. It was a committee of experts, 480 strong. They came in brandnew, Russian-made Molotova trucks, and were impeccably dressed in high-collared gray uniforms, pith helmets, and canvas shoes.

The French-speaking leaders were extremely polite and respectful. They urged me to stay on and treat the "true people of Vietnam." I replied that my job was just about over, and that I expected to be leaving soon.

They sent a delegation out to the camp and gave me a bit of dialectical materialism.

"When you treat sick people in America," the leader asked, "do you make any distinction between Democrats and Republicans?"

"Certainly not."

"Very well," he said, "there must be no distinction here between capitalistic dupes and the loyal people of Vietnam."

Then the cheeky so-and-so ordered his men to divide up my pharmaceuticals and surgical supplies—half for me, and half for the "Democratic Republic" of Vietnam. And there wasn't a thing I could do about it.

We took down the tents of our camp and moved the last of our refugees into empty buildings in the heart of Haiphong. May 12 was to be our last loading day, which would bring the total number of evacuees above 600,000. On that morning I had my last grisly experience in Haiphong.

A rickshaw driver rushed up with a teenage boy he had picked up in an alley. Viet Minh guards had seized the kid as he was crossing the line of the demilitarized zone, and stomped their rifle butts on his bare feet. I had no X-ray equipment, but it was obvious that the damage was beyond repair. The feet and ankles felt like moist bags of marbles, and were already gangrenous. I had only a few instruments left, and a little procaine and penicillin. I did the best I could by disarticulating the ankles where they connect with the lower leg. Someone would have to do a more thorough amputation later.

That was my last surgery in Haiphong. We got the boy aboard a boat. Then we turned to the job of loading the landing craft with our last 3,600 refugees. They weren't really the last, of course. There were still several million behind the Bamboo Curtain who never had a chance. But we had done the best we could. And I hope the men who made the deal at that lovely Geneva lakeside are happy with the results.

On the morning of May 18 we stood by solemnly as Gen. René Cagny hauled down the French flag from the standard where it had flown for nearly a hundred years. Thus an era ended. Haiphong was dead, and awaiting the Red vultures. Operation Cockroach was forgotten in the shambles of Asia.

#### *A very important person*

When we arrived in Saigon, Capt. Harry Day, chief of the Navy section of the Military Assistance Advisory Group there, provided me with a hot tub and a tall gin-and-tonic, and gave me all the scuttlebutt from Task Force 90.

Then he said: "Dooley, we must find you a clean uniform. You're due at the palace tomorrow morning."

Next day the Premier (now President of the Republic) Dinh Diem, decorated me with the medal of Officer de l'Ordre National de Vietnam. Our medical assistance had not only saved many lives for his people, he said, it had also shown them the true goodness and spirit of cooperation that America

is showing Vietnam and all the countries of the world who seek to achieve and maintain their freedom. "My people," he concluded, "will long remember their Bac Sy My, his work, and his love."

I went aboard ship and to sick bay now—this time as a patient. My monthly bout with malaria was on, and I had a temperature of 104. When I reached the hospital in Japan, my colleagues ("Where have you been, Dooley?") were less interested in my medal than in my intestinal parasites, which they said were the most interesting they'd ever seen.

The Navy awarded me the Legion of Merit and, after I had been patched up, told me to report to Washington. When I stopped at Pearl Harbor en route I was taken to the headquarters of Adm. Felix Stump, commander in chief in the Pacific, and asked to brief his staff on my experiences in Vietnam. Although I had never seen so much high brass assembled before, I talked for an hour. Then, at the insistence of one of the admirals, I spoke for 30 minutes more about the constructive things we might do in the remaining free areas of southeast Asia. My words may have been brash, but they came from the heart. And I knew they couldn't bust a medical officer any lower than a lieutenant, junior grade.

Afterward, a very spit-and-polish young officer, Ensign Potts (I've changed his name), introduced himself as my aide. "The admiral has ordered VIP treatment for you while you're in Pearl Harbor, sir," he said. "I'm supposed to see that you get it."

Ensign Potts baffled me. He saluted me every time I turned around. When we got into "my" staff car, I would invite him to sit with me. "Thank you, sir," he'd say—and climb in with the driver.

Well, if I was a VIP, I would use my VIP privileges. "Mr. Potts," I said, "there's a sailor somewhere in this yard—Norman Baker, aviation boatswain's mate, third class. I think he's aboard the *Philippine Sea*. Have him in the lobby of the Royal Hawaiian in the morning. Don't mention my name—just 'the admiral's orders.'" Potts gave me an icy stare and said, "Aye, aye, sir."

Next morning I was in the lobby waiting for the fun. A bewildered Baker, looking slick in clean whites, came through the door. "Over here, sailor," I called. He looked, and then let out a yell. "Eeyow—Dooley—beg pardon, Dr. Tom, sir—you sure look like hell." Then we forgot rank and fell on each other's necks.

We enjoyed the best the Royal Hawaiian had to offer that day, and talked for hours about what seemed like the distant past, and about the shoeshine boys and Madame Ngai and Lia and the kids. Then we raised a final glass to an undying friendship. Good old Baker. I was happy to hear later that the Navy awarded him a letter of commendation—an honor he richly deserved.

Baker, a boatswain's mate by grade, was really assigned to me as an interpreter, but he became an excellent medical corpsman. Like so many of the 15,000 officers and sailors of Admiral Sabin's task force, Baker was resourceful, steadfast and never ran out of genuine compassion. Some days my Irish personality would have me wallowing in despair. Baker always pulled me back. He would do any job assigned him, no matter how distasteful. And he would do it well. His sense of humor got him through, and frequently me too. The success of the operation owes much to that boatswain's-mate-become-corpsman, Norman Baker. The greatest tribute I can pay him is to say that, within all the glory of our tradition, he is a fine American Navy man.

But Ensign Potts was getting on my nerves. We were on our way to Hickam Air Force Base to get my number for the flight home. "Mr. Potts, get in the rear seat," I said. "That's an order." He obeyed stiffly.

"Potts, what the hell's wrong with you—or with me?" I asked. "I get along with most people—but you baffle me. What gives?"

"May I speak frankly, sir?"

"Hell's bells, yes."

He opened up. "Well, I can't go for this hogwash you're handing out," he said. "All this love and altruism and better understanding among people. That's not the Navy's job. We've got military responsibilities in this cockeyed world. Big responsibilities. We've got to perform our duties without sentiment. That's what we've been trained for. Love and kindness and slobbering over people is a job for preachers and old women."

He said a lot more that made me shudder. But at least he got it off his chest. I think we both felt better.

#### *Reunion in Hawaii*

I got my flight number and was pushing my way back through the crowded terminal when I heard a high-pitched voice: "Chao Ong, Bac Sy My" (Hi, American Navy Doctor). Then a pair of strong arms were around me, and a young Vietnamese was blubbing on my shoulder. About 2 dozen more gathered around and joined in the chorus. I noticed that they were all wearing the uniform of the Vietnamese Air Force. "Don't you remember me, Bac Sy My?"

Who could remember one from among those half-million faces? Then I noticed—the boy had no left ear. I looked at the others and recognized the hideous scars wrought by Viet Minh cruelty and my own poor ineptness.

"Of course, I remember," I said. "You boys come from Bao Lac." They told me that they were on their way to Texas to be trained as mechanics for the new Vietnamese Air Force.

Quite a crowd, mostly Americans, had been attracted by his highly emotional scene. This was as good a time as any to begin "briefing" my fellow citizens. So I spoke up and told the onlookers what it was all about. I told them where I had come from, a little of what I had seen, and then I satisfied their curiosity as to why some of these air cadets had only one ear apiece. When I finished I was choking back the tears—but there wasn't a dry eye in the crowd.

I turned and looked at Ensign Potts, and saw the tears running unashamedly down his cheeks. "Mr. Potts," I said, "pull yourself together, sir." He came over, grinning through the tears, and wrung my hand.

Ensign Potts had discovered the power of love.

I learned that the Vietnamese cadets were caught in the inevitable foul-up. They had been on the field for days with no one to look after them. Since they knew no English, they had never found the mess hall, and they were hungry. I sought out the Air Force officer in charge; he just shrugged and told me the kids were due to leave on a flight that night. I told him I wanted to be put aboard the same plane.

"Well, now, wouldn't that be nice, lieutenant?" he sneered. "That way you could get home a bit ahead of time, eh?"

The Irish in me boiled, but it wasn't necessary. Ensign Potts moved in with all guns blazing.

"Sir, Dr. Dooley is Admiral Stump's guest, and I have the authority to speak for the admiral," he roared. "The doctor can have anything he wants, including the admiral's own plane. Seems to me the least the Air Force can do is put him on that lousy flight."

And the Air Force did. Roger.

#### *Old Dr. Dooley speaks*

The big Constellation was filled with soldiers, sailors, and marines, and—aside from the crew—I was the only officer aboard. When we were airborne, I decided to have

sion upon the leaders of the foreign countries in which it operates that its activities represent the official foreign policy of the United States?

Mr. MANSFIELD. I will say to the Senator from Oregon that that is a fairly sound assumption. The officials of the CIA could be considered as agents of American foreign policy, and perhaps they are so considered in some countries; but I could not, on the basis of what I know about the CIA, either prove or disprove the Senator's statement, because there is only limited congressional contact with the agency.

Mr. MORSE. That is so, for the simple reason that Congress, along with the American people, is kept in ignorance about the operation of the CIA. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. MORSE. I have one further question. Has the Senator from Montana, as a colleague of mine on the Foreign Relations Committee of the Senate, ever received any correspondence or information or complaints in regard to the activities of CIA in foreign nations which indicate criticism of American foreign policy abroad?

Mr. MANSFIELD. I must say to the Senator that I have not.

Mr. MORSE. I should like to inform the Senator that I have received a series of communications in regard to alleged activities of the CIA which have caused me concern, and make me all the more enthusiastic in support of the Senator's resolution. I think it is highly desirable that we have, by congressional action, the authority which I think this resolution would give us to require this administration, through its CIA, to keep Congress, through the special committee which the Senator proposes to set up, informed as to exactly what it is doing in other countries by way of action that is bound to have some effect on American foreign policy and our standing in those nations.

This all goes back to what as the Senator knows, is a deep conviction of mine. I abhor government by secrecy. I cannot reconcile it with democratic processes. In the Senate of the United States I do not propose by my vote to endorse the action of any administration no matter what the party, that keeps the American people so much in the dark as the American people are being kept in the dark by the present administration in the whole field of foreign policy. As the Senator knows, I do not agree that there can be justification for keeping from the American people by so-called executive committee meetings in the Senate a good deal of information. But I particularly abhor the operation of government by secrecy in such a way that it threatens the liberties of the American people. Whenever there is government by secrecy, the freedom and liberties of the American people are endangered. A mistake by the CIA in some tinderbox area of the world might result in the loss of the lives of millions of our fellow citizens because no opportunity was afforded in advance to place a check on mistaken policies on the part of the CIA or other agencies of our Government.

Mr. MANSFIELD. I thank the Senator from Oregon for his pertinent observations.

Mr. President, the announcement of this new board was released 2 days after the time when the hearing on this bill was set by the Rules Committee. I do not think that was a deliberate attempt to head off the establishment of a congressional watchdog committee on the intelligence agency; I am sure that was only a matter of coincidence. But it does emphasize one thing: it extends and strengthens the executive control over the CIA.

I do not object to the formation of this new Commission, nor do I question the need by the Central Intelligence Agency and all other intelligence agencies in the Government for this kind of supervision. What I am concerned with, however, is the CIA's position of responsibility to none but the National Security Council. I believe this should be changed. The newly appointed board members will have neither power nor control over the CIA; and it appears to me that it is questionable how much this group will be permitted to learn under the agency's broad charter.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I am delighted to yield.

Mr. SALTONSTALL. Concerning the responsibility of the CIA only to the National Security Council, if a change in that situation were to be made, would not a change of law be required, inasmuch as the law Congress passed in 1947, as I recall, requires the CIA to be responsible only to the National Security Council and to the President?

Mr. MANSFIELD. The Senator from Massachusetts is correct. However, instead of changing the law, I think we should establish a joint watchdog committee composed of Members of the House and Members of the Senate. In that way we could provide safeguards in connection with the operation of the CIA, and we could also deal with questions which Members of Congress might have in their minds.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield further to me?

Mr. MANSFIELD. I am glad to yield.

Mr. SALTONSTALL. Of course, the Senator from Montana will agree with me that the Armed Services Committee and the Appropriations Committee now have subcommittees with members assigned to follow the activities of the CIA. Is not that correct?

Mr. MANSFIELD. That is correct.

Mr. SALTONSTALL. As a member of both those committees, I consider I have been informed of the activities of the CIA to the extent that I believe it is wise for me to be informed. As regards further information, let me say that, so far as I know, nothing has been concealed from us.

Mr. MORSE. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield.

Mr. MORSE. I should like to ask a question of the Senator from Massachusetts.

Mr. MANSFIELD. Certainly.

Mr. MORSE. Has the Senator from Massachusetts ever informed the Foreign Relations Committee or the information he gained in regard to the CIA?

Mr. SALTONSTALL. I have never been asked by the Foreign Relations Committee for any such information. We have discussed such matters rather briefly in the Armed Services Committee, in executive session, as I recall, and also, of course, in the Appropriations Committee.

Mr. MORSE. That is just my point. After all, both the Senate Foreign Relations Committee and the Senate Armed Services Committee have great responsibilities in regard to foreign policy. The Foreign Relations Committee has no such liaison officer of which I know in respect to CIA, and I think it is very important that there be established the joint committee the Senator from Montana is proposing, with the very definite understanding that the Joint Committee will keep the Foreign Relations Committee, the Armed Services Committee, the Appropriations Committee, and the Senate as a whole informed. Certainly, under the advice and consent clause of the Constitution, it is important that we keep ourselves informed regarding what is occurring in connection with American foreign policy.

Mr. SALTONSTALL. As one member of the committee, I reply that to the extent I can do so under security regulations and in accordance with my own knowledge, of course, I shall be very glad to inform the Senator from Oregon or any other Senator, insofar as it is proper for me to do so.

Mr. MANSFIELD. Mr. President, I know the Senator from Massachusetts speaks from his heart, but I wonder whether the question I shall ask now should be asked in public; if not, let the Senator from Massachusetts please refrain from answering it: How many times does the CIA request a meeting with the particular subcommittee of the Appropriations Committee and the Armed Services Committee, and how many times does the Senator from Massachusetts request the CIA to brief him in regard to existing affairs?

Mr. SALTONSTALL. I believe the correct answer is that at least twice a year that happens in the Armed Services Committee, and at least once a year it happens in the Appropriations Committee. I speak from my knowledge of the situation during the last year or so; I do not attempt to refer to previous periods. Certainly the present administrator and the former administrator, Gen. Bedell Smith, stated that they were ready at all times to answer any questions we might wish to ask them. The difficulty in connection with asking questions and obtaining information is that we might obtain information which I personally would rather not have, unless it was essential for me as a Member of Congress to have it.



Mr. MANSFIELD. Mr. President, I think the Senator's answer tells the whole story, for he has informed us that a subcommittee of the Senate Armed Services Committee has met only twice a year with members of the CIA, and that a subcommittee of the Senate Appropriations Committee has met only once a year with members of the CIA. Of course, it is very likely that the meetings in connection with the Appropriations Committee occurred only at a time when the CIA was making requests for appropriations. That information from the Senator from Massachusetts does not indicate to me that there is sufficiently close contact between the congressional committees and the CIA, as such.

Mr. SALTONSTALL. In reply, let me state—and I should like to discuss this point more fully when I present my own views on this subject—that it is not a question of reluctance on the part of the CIA officials to speak to us. Instead, it is a question of our reluctance, if you will, to seek information and knowledge on subjects which I personally, as a Member of Congress and as a citizen, would rather not have, unless I believed it to be my responsibility to have it because it might involve the lives of American citizens.

Mr. MANSFIELD. I see. The Senator is to be commended.

Mr. MORSE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. MORSE. I wish to say that no one has greater respect for the Senator from Massachusetts [Mr. SALTONSTALL] than do I, and what I say now goes only to the point of view he has expressed, and not to the Senator from Massachusetts himself. But it is the very point of view of the Senator from Massachusetts which I protest, because the very procedure for checking the CIA the Senator from Massachusetts has outlined is at best a voluntary one, and is not based upon the establishment by resolution of a mandatory jurisdiction of the Congress in relation to the CIA. That is what is necessary. But it does not exist under the present very loose and voluntary relationship existing between the CIA and the Armed Services Committee and the Appropriations Committee. What we must do is to write in black and white provisions which will give mandatory jurisdictional power to the Congress in relationship to the CIA.

The second point I wish to mention in connection with a comment made by the Senator from Massachusetts—whom I highly respect, but who has laid down a premise with which I am in total disagreement—is in relation to the argument that some information in this field should be kept from the Members of Congress who serve on the appropriate committees, and that such Members of Congress should not have knowledge of those matters.

Mr. President, let us consider the personnel of the CIA. Who are the supermen of the CIA? They are not elected officials of the Government. Instead, they are appointees of the executive branch of the Government. But the re-

sponsibility as the elected representatives of a free people happens to be ours, under the advice and consent clause of the Constitution, to protect the people, by serving as a check against the administration—and I care not whether it is a Republican or a Democratic administration. What is happening today, in connection with the trend toward government by secrecy in America, is that that Congress has been standing by and has not been insisting upon exercising its power to check the executive branch of the Government in many fields including foreign policy.

Mr. MANSFIELD. Mr. President, the Senator from Oregon is entirely correct. The trend to which he has referred began during the Roosevelt administration, if not before, and continued during the Truman administration and down into the present administration. I refer to the trend toward reposing more and more power in the hands of the executive branch of the Government, and less and less power in the hands of the Congress. The Senate must wake up and do something about this matter, because unless we do so, as time passes the Congress will become less of an equal branch under our constitutional system, and more power will rest in the hands of the Executive. The policy of increased executive power is nonpartisan. The same thing happened under Democratic administrations as is happening under a Republican administration.

Mr. MORSE. For years I sat over on the other side of the aisle and made the same protests under Democratic administrations that I am making today under a Republican administration.

This policy of too much secrecy has been characteristic of administrations of all parties in the executive branch. What we must do is to face up, before it is too late, to the fact that there is an increasing concentration of arbitrary power in the executive branch of the Government. This process has been going on for the past quarter of a century. We must stop it. The CIA issue affords a good example of what I am protesting.

I do not know of a single secret of Government which ought to be vested in the hands and minds of some appointees of the executive branch of Government in the CIA, to the exclusion of the elected Representatives of the people. Who are these CIA employees? Many of them are very young, and, from the standpoint of experience, very immature men. Does anyone suggest that it is safe for democracy to vest in them crucial information, and to say that because we are Members of Congress on the Foreign Relations or Armed Services Committee, we should not have or should not want such information? I say that we must insist on getting it, if we are to keep faith with the oath we took when we entered this body, and are properly to discharge our duties and responsibilities as elected Representatives of a free people.

Today we are talking about an abstraction in respect to a principle of Government, but the Senator from Montana is to be complimented and commended for raising the issue. He has

raised an issue of Government under our constitutional system which has been too long lost sight of by too many people in this country.

What is happening now in the United States is similar to what has happened in the history of other free nations. They flowered in freedom for a long time, and then gradually a small clique of Government officials in the executive branch started taking over their rights, freedoms, and liberties. The people woke up too late to discover that they had lost their freedoms, rights, and liberties. It can happen in America, if we do not stand on guard in relation to the principle of checks and balances under the Constitution.

I commend the Senator from Montana. Through this resolution I think he has placed his finger on a very important duty of Members of Congress. We ought to insist that the power which has been vested in the CIA be subjected to an occasional check, as provided by his resolution.

Mr. MANSFIELD. The Senator from Oregon is absolutely correct. Under the Roosevelt administration so-called executive agreements were agreed to between this country and Saudi Arabia, Yemen, and Nepal. Those executive agreements should have come before the Senate, under the advice-and-consent clause of the Constitution, because they were in reality treaties of friendship and commerce.

Under the Truman administration, Congress appropriated sufficient funds to provide for a 70-group Air Force. President Truman impounded the money and allowed only a 48-group Air Force to come into being.

Under this administration, last year Congress appropriated \$40 million to maintain the Marine Corps at its then present strength. What happened? Secretary of Defense Wilson said he would not use the money. He did use a part of it. A part of the cut went into effect. I note from the document asking additional appropriations for the fiscal year 1956, page 8, that it develops that under the Department of Defense, military functions, the Office of the Secretary of Defense used \$769,000—to be derived from where? From transfer from the appropriation "Military personnel, Marine Corps."

The Office of Public Affairs in the Department of Defense used \$27,500, to be derived by transfer from the appropriation "Military personnel, Marine Corps."

For Interservice Activities, Court of Military Appeals, \$41,400 was used, to be derived by transfer from the appropriation "Military personnel, Marine Corps."

For the Department of the Navy, servicewide supply and finance, \$7,400,000 was used, to be derived by transfer from the appropriation "Military personnel, Marine Corps."

For servicewide operations in the Department of the Navy, \$2,180,000 was used, to be derived by transfer from the appropriation "Military personnel, Marine Corps."

All this was after the Congress unanimously restored \$40 million to maintain the Marine Corps at its then present strength, 223,000 men. What happened

to those funds? What happened to the mandate laid down by Congress, which is supposed to control the Armed Forces of the United States, and to provide for them? What happened during the Truman administration when Congress appropriated for a 70-group Air Force? What happened during the Roosevelt administration when, in the field of foreign policy, Executive agreements were made which were in reality treaties of commerce and friendship?

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. First, with respect to the executive agreements to which the Senator has referred, let me say that I believe they should have been made in the form of treaties, and should have been brought to the attention of the Senate.

So far as the Marine Corps appropriation is concerned, that question is now before the Committee on Appropriations. I agree with the Senator that if the money was not used for the Marine Corps, if the total strength of the Marine Corps provided for by the Congress was not maintained, and was not necessary, in the opinion of the Department, that money should have gone back to the Treasury, and, if money for other purposes was needed, new appropriations should have been requested. There should have been no transfers. I thoroughly agree with the Senator from Montana.

Mr. MANSFIELD. I am delighted to hear it.

Mr. SALTONSTALL. I do not approve of the method by which the funds were handled. The question as to whether the strength of the Marine Corps provided for by Congress was necessary is another issue; but certainly the money should not have been transferred.

Mr. MANSFIELD. As the Senator knows far better than I, a portion of the Marine Corps cut was restored.

Mr. SALTONSTALL. That is correct.

Mr. MANSFIELD. But not to the point mandated by the Congress of the United States. The Senator from Massachusetts also voted last year for the \$40 million appropriation to maintain the Marine Corps at its then present strength. The money is being used for other purposes, which in my judgment is contrary to the intent and wish of the Congress.

Mr. SALTONSTALL. If my memory is correct as to the figures—and I am not sure it is—the number of marines last year was 215,000. The idea was to reduce the number to 195,000, in round figures. Congress directed that the strength be kept at 215,000. I believe that the present figure is 201,000, and that it will be 205,000 at the end of the present fiscal year. I am not quite certain as to the accuracy of those figures, but the present strength is more than 200,000.

Mr. MANSFIELD. I think the Senator is approximately correct; but it is still to be noted that the wishes of the Congress were ignored by Mr. Wilson, who is an agent of the President, and

the money was used as he saw fit, and not as Congress intended.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LANGER. I wish to join the distinguished Senator from Oregon [Mr. MORSE] in complimenting the Senator from Montana for bringing this subject to the attention of the Senate.

I believe that the entire policy of secrecy in this connection is a cancer in the operation of our Government.

Only a short time ago we had the spectacle of Sherman Adams, assistant to the President, telephoning to the Securities and Exchange Commission and holding up for 3 or 4 days a hearing in connection with the Dixon-Yates matter. When we asked why an assistant to the President should call up an agency of Government and delay a hearing for 3 or 4 days, while in the House an appropriation of \$6,500,000 was being considered, we received a letter from the assistant secretary to the effect that this subject was secret.

When the Senator from Tennessee [Mr. KEFAUVER], as chairman of the subcommittee, joined with other members of the subcommittee in a letter requesting the assistant to the President, Sherman Adams, to come before us and tell us the reason for such procedures, we received a very brief letter of 3 or 4 lines in reply.

I fully agree with the Senator from Oregon that the policy of secrecy is resulting in keeping from the Congress and the people matters with which the Congress ought to be thoroughly familiar. We are called upon to enact laws dealing with those subjects, and we are dealing with them, as the Senator from Massachusetts stated a few moments ago, in such a manner that members of the Committee on Armed Services meet only twice a year with representatives of the CIA, and members of the Committee on Appropriations meet with them only once a year, when they need more money. I believe the Committee on Foreign Relations, of which the distinguished Senator from Oregon and the distinguished Senator from Montana and I are members, can testify to the fact that we see those gentlemen, members of the CIA, on very rare occasions, and then only when we practically invite them to attend.

Mr. MANSFIELD. The Senator may well be correct. As a matter of fact, I do not recall ever seeing them before the Committee on Foreign Relations, although I may be mistaken about that.

Mr. MORSE. Mr. President, will the Senator yield once more? I shall not interrupt him again after this comment if it can be avoided.

Mr. MANSFIELD. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I wish to associate myself with the observations of the Senator from North Dakota [Mr. LANGER], and I am very glad, indeed, that the Senator from Montana has mentioned the executive agreements which have been made with some Middle East countries, especially Saudi Arabia.

He has referred to agreements about which we were not apprised at the time

they were made. I do not believe it can be questioned that in regard to a good many of the agreements which are entered into the CIA has, so to speak, a background part to play, and does play; and it supplies what it believes to be information which ought to be influential in reaching executive decisions. That is why I believe it very important that the Committee on Foreign Relations be kept advised right up to the minute in regard to the findings of the CIA and the recommendations of the CIA as they may affect American foreign policy.

Let us take, for example, the executive agreement to which the Senator from Montana has referred. Now, belatedly, we are beginning to get information, for example, pointing out that in Saudi Arabia human-slavery traffic is rampant in the year 1956. Before the week is over I intend to discuss on the floor of the Senate human-slavery traffic in Saudi Arabia.

Nevertheless, Mr. President, the argument is made that we ought to ship military supplies to Saudi Arabia. The argument is made that in order to combat communism we ought to keep an airbase in Saudi Arabia.

Mr. President, I seriously question the whole program of America in Saudi Arabia, so long as evidence can be brought forth that the nation with whom we have the agreements is engaged in human slavery in this year of 1956.

We cannot reconcile that fact with the high moral principles for which we as a nation profess to stand in American foreign policy.

The reason I am pleading for full disclosure to the American people of American foreign policy is that if such disclosure is not made we get into the kind of situation the Senator from Montana has mentioned with regard to so-called executive agreements. That happens whenever we in the Congress do not have all the facts presented to us.

I sat on the Committee on Armed Services for 8 years. What did the brass do? They came before the committee and said, "This is our recommendation. However, because of the top secrecy involved, we do not want to go into the information and the facts on which the recommendation is based."

What did we do? We used to sit there and say, "Well, we will take you at your word."

In my judgment, we should not do that. In my judgment, in a democracy, the elected representatives of the people are entitled to whatever facts anyone who has brass on his shoulders may have in his head. I for one think we ought to stop the tendency to let the military, the CIA, and a few officials of the State Department determine foreign policy for the American people, without any check on the process by their elected representatives in the legislative halls of the Government.

Mr. MANSFIELD. Mr. President, I wish to say to the Senator that what frightens me about the whole matter is the fact that the Senate, particularly, has been willing to give up its share of

its responsibility in the Government during the past 15 or 20 years, at least. It is a bad trend. I do not believe it is the President who is arrogating unto himself this added authority. I assume it is in the executive departments and in the praetorian guard in the White House where the authority is being used, to the detriment of the elected representatives of the people in both the House and in the Senate, and against the course laid down under the Constitution of the United States.

It is a very serious constitutional question. I deeply regret that I am not a constitutional lawyer, because I believe there is quite a field for discussion of this subject. I only hope that the Senate will recognize the fact and will take some action to restore the equality which should exist between the executive and the legislative branches of the Government.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield once more? Then, like the Senator from Oregon, I will not interrupt him again. That is, I hope I will not interrupt him again, but I cannot promise that I will not.

Mr. MANSFIELD. I am glad to yield to my friend from Massachusetts.

Mr. SALTONSTALL. I am sure the Senator will agree with me that the CIA is not a policymaking body but that the policymaking body is the State Department which is an executive agency of the President in the initiation and determination of the foreign policy of the United States. In the same way, under the President, the Defense Department is the initiating body with regard to our national security. I am sure the Senator will agree with me on those primary facts.

Mr. MANSFIELD. Yes; except that in the field of foreign policy we do have the advice and consent clause in the Constitution. That clause can be stretched a long, long way. That is what has been happening in recent years, with the result that the Senate has exercised less and less influence in foreign affairs, and with the further result that the executive department has taken under its control more and more of that field.

Mr. SALTONSTALL. The point I wished to make especially in the present discussion is that the CIA is not a policymaking body of the executive branch of the Government, and that the policymaking body is the State Department. The CIA is one of the agencies which the State Department uses in determining what the foreign policy of the Government shall be.

Mr. MANSFIELD. I would be inclined to take the Senator's word for that. However, I do not know whether the CIA has any part in making policy. The Senator is correct in saying that it is the function of the State Department under the President of the United States to act in that field.

Mr. SALTONSTALL. The present Administrator of CIA does his utmost to maintain that principle within his agency. In other words, he does not alone determine policy, but carries out

the orders which are given to him by the policy-making body.

Mr. MANSFIELD. I agree with the Senator. In my remarks about the CIA I wish it to be clearly understood that I have nothing but the highest regard for Mr. Allen Dulles, the Director of CIA, and for the type of administration which he is carrying on. What I am talking about is the CIA as an executive agency and its relations to Congress.

Mr. SALTONSTALL. I assume that the Administrator of CIA—the present one or any other Administrator, past or present—would come before the Committee on Foreign Relations and discuss with it any subject he could properly discuss within his field, if the committee asked him to appear before it.

Mr. MANSFIELD. Yes, I know and believe he would be glad to.

Mr. SALTONSTALL. Of course the problem of security comes up, both in public and in executive sessions.

Mr. MANSFIELD. Yes.

Mr. MORSE. Mr. President, will the Senator yield once more?

Mr. MANSFIELD. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I am always interested in the meaning that is given to words. Of course, when we argue that CIA is not a policymaking body because under the administrative setup it is not charged with making policy, it does not follow that it does not make policy. Let us take a look at Government operations and what happens when we give an assignment to an agency such as CIA.

It proceeds to gather information and to make investigations and studies. On the basis of such studies and investigations and what it discloses to the executive arm of the Government, and what it does not disclose, someone in the Government must then make a determination. The tendency is usually to follow the recommendation of the agency that was asked to do the job of investigating.

One of the reasons why I believe the pending concurrent resolution should be adopted is that we should find out to what extent in fact—not in theory, but in fact—CIA is forming policy. I will tell the Senate my suspicion. My suspicion is that it determines a great deal of policy. I happen to believe we have the duty of finding out whether my suspicion—and I am not the only one who has such a suspicion—is warranted or not. I think we must take it for granted that when we give broad powers to the CIA, which it has been exercising, it has great influence in determining foreign policy. I urge that a check be placed upon it. We ought to know to what extent its recommendations are being generally followed.

I agree with the Senator with respect to Allen Dulles, but I am not in favor of giving him unchecked power. I want to know to what extent the recommendations and the policies made by CIA under Allen Dulles become the policies of John Foster Dulles, his brother, the Secretary of State. I believe we need checks on families as well as checks on men who do not belong to the same families.

Mr. MANSFIELD. Not only would that question be interesting, but I am

sure the answer to it would also be interesting.

Mr. President, so long as the subject of the power of the Executive vis-a-vis the legislative has been brought up, I ask unanimous consent that at this point in my remarks an excerpt from a communication from the President of the United States to the 84th Congress, 2d session, Document 341, at the top of page 8, under the heading "Department of Defense—Military Functions," be incorporated in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS

Office of the Secretary of Defense: "Salaries and expenses," \$769,000, to be derived by transfer from the appropriation "Military personnel, Marine Corps";

"Office of Public Affairs," \$27,500, to be derived by transfer from the appropriation "Military personnel, Marine Corps";

Interservice activities: "Court of Military Appeals," \$41,400, to be derived by transfer from the appropriation "Military personnel, Marine Corps";

Department of the Navy: "Servicewide supply and finance," \$7,400,000, to be derived by transfer from the appropriation "Military personnel, Marine Corps";

"Servicewide operations," \$2,180,000, to be derived by transfer from the appropriation "Military personnel, Marine Corps."

Mr. MANSFIELD. Mr. President, I also ask unanimous consent to have made a part of the RECORD at this point in my remarks a copy of a speech which I made 2 years ago relative to 3 executive agreements under the Roosevelt administration which should have come before the Senate.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

#### SPEECH BY SENATOR MANSFIELD

There is a real issue, and it has troubled me deeply, as I am sure it has troubled other Senators. It is to be found in the power of the executive branch in the field of foreign policy.

The Constitution specifically provides the President with certain unique powers to conduct our foreign relations, just as the other branches of Government have unique powers in other matters. I do not question those powers which accrue to him as Commander in Chief of the Armed Forces.

But in one aspect of our foreign relations, the treaty-making power, he does not have unique, but rather concurrent, power shared with the Senate. Treaties are to be made by the President only with the advice and consent of the Senate. The most vital matters involving the relationships of this country with others are or should be conducted within this realm of concurrent power.

But it is precisely in this realm that an extra-constitutional device, the executive agreement, now threatens the fine balance of power which has been maintained under our system of government for a century and a half.

It will be argued, as it has been, that executive agreements are used almost exclusively in pursuance of authority delegated by Congress or to supplement certain valid undertakings growing out of the unique powers of the President. That is true, and I think the device, so used, is necessary and useful and harmless to the principle of balance of powers.



But it is not in the mass of executive agreements that the issue is to be found. It is, rather, in the few, in the very few. For it is in the few, the very few, that this extra-constitutional device can be used to stretch the unique powers of the Executive. It is in the few that there lies the danger of usurpation, destruction of the constitutional balance, and in the last analysis, the threat of Executive tyranny.

This is no imaginary fear which haunts me and other members of the Senate. Executive agreements have been used to stretch the powers of the Presidency and unless safeguards are established there is no reason to believe that they will not continue to be so used. If the Senate will bear with me for a few moments longer, I will undertake to prove by specific example how this extra-constitutional device can undermine the power of the Senate in foreign relations. I will endeavor to show how this device can and has been used to erode that power and transfer it painlessly, almost imperceptibly, from this body to the executive branch.

For decades, treaties of friendship, commerce, and navigation have been made with other countries by the President with the advice and consent of the Senate. As the Senators know, these are basic treaties which establish the framework of our relations with other countries. The Senate has traditionally given advice and consent to such treaties. It still does so, for the most part.

In 1933, however, the Department of State negotiated an agreement of friendship and commerce with Saudi Arabia. As far as I can determine, this was the first time an executive agreement, rather than a treaty, was used for this purpose. To be sure, the agreement with Saudi Arabia was labeled provisional in nature and was to remain in effect, I quote: "until the entry in force of a definitive treaty of commerce and navigation." Even though it was temporary, however, the State Department must have known that this executive agreement was treading on dangerous constitutional ground for it added the following clause, I quote "Should the Government of the United States of America be prevented by future action of its legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse."

This executive agreement was never replaced by a definitive treaty of friendship, commerce, and navigation. Though the Senate has never given consent to ratification, it stands in equal force with genuine treaties dealing with the same subject matter, to which the Senate has given approval.

This agreement, Mr. President, established a precedent. Note now how the precedent is reinforced. Thirteen years later, in 1946, the State Department negotiated a similar agreement with the Kingdom of Yemen. The terms of the two agreements were practically identical except for two omissions. The agreement with Yemen no longer carried the phrase indicating that it was to remain in effect only, I quote: "until the entry in force of a definitive treaty of commerce and navigation." Also omitted was the phrase, I quote: "Should the Government of the United States of America be prevented by future action of its Legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse."

In short, the State Department appears, in 13 years, to have reached the conclusion that the power to make treaties of friendship, commerce, and navigation had become, at least in some cases, a unique power of the executive branch, that the consent of the Senate was no longer necessary, at least in some of these agreements.

One year later, in 1947, a third agreement of friendship, commerce, and navigation was negotiated with the Kingdom of Nepal. In printing the text of this agreement in its

Bulletin, the State Department apparently still had a twinge of nervousness about the procedure it was following. It was constrained to point to two precedents. What were the precedents? The agreements with Yemen and Saudi Arabia.

Yemen, Saudi Arabia, and Nepal. These are small, faraway lands. Few of us could locate them quickly on a map. Still fewer have any direct concern with what transpires in them. Yet, the agreements which have been negotiated with them constitute a series of precedents which is of vital importance to our constitutional division of powers. None of them has ever been replaced by a regular treaty, yet all of them cover subject matter which traditionally has been handled by treaty.

Twenty-one years have elapsed since the first of these three agreements was negotiated. Was the failure to replace the agreements by permanent treaty an oversight or a conscious expansion of the unique powers of the executive at the expense of the Senate? Is this example a straw man or a very real case of usurpation of power? Will the President now send these three agreements or their permanent replacements to the Senate for advice or consent or after years and decades is the need still for temporary agreements?

How is the Senate to deal with the disappearance of its prerogatives in this fashion?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that some illustrations of the use of Executive power in relation to the power of Congress, which I requested the Legislative Reference Service of the Library of Congress to compile for me, be incorporated in the RECORD at this point.

There being no objection, the illustrations were ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,  
LEGISLATIVE REFERENCE SERVICE,  
Washington, D. C.,

SOME ILLUSTRATIONS OF THE USE OF EXECUTIVE POWER IN RELATION TO THE POWER OF CONGRESS

The general nature of the alleged usurpation of the powers of Congress by Executive circumvention of legislative intent has been stated by Representative HOWARD W. SMITH.

Testifying before the Joint Committee on the Organization of Congress on March 28, 1945, Representative SMITH said:

"Under our Constitution legislation is supposed to be enacted by the Congress. I want to call your attention to what I assert to be a fact, that we now have not only legislation by the Congress, but we have four other types of legislation. I will go into each one of them a little more fully \* \* \*. We have legislation by sanctions; we have legislation by subsidies; we have legislation by Executive regulations, under authority of acts of Congress; and we have legislation by interpretation—interpretations that Congress never dreamed of when we enacted the law.

"I think that that is of very great moment. \* \* \* I do not think the American people realize to what extent our system of government is being changed by these innovations. \* \* \*

"I do not think Congress as a Congress realizes it. On the other hand, I think almost every individual Member of Congress realizes what is going on, and they talk about it and fuss about it, and they say something ought to be done about it, but as a rule Congress does not do anything about it.

"Now, much of this stuff is done in perfectly good faith. I am not here to say that any of it is not done in good faith. It is done under the spur of the emergency, but

when we once break down the constitutional boundaries and begin to do things that there is not any authority under the Constitution or the law for, we get into a field that spreads and gets worse, like a spreading disease.

"Personally I am very much disturbed about it and I hope that we can do something to check it and bring us back within the limits of what we ought to do."

Absolute and unequivocal proof of executive circumvention of legislative intent in the interpretation or administration of laws passed by Congress is in most cases impossible to obtain. In some instances disputes arising under these circumstances have been settled by adjudication, but in most cases these conflicts have been characterized by charges and allegations which were sometimes answered and sometimes ignored. Interpretations of what a law means and how it should be administered may very well often require the exercise of subjective judgment. The charges of circumvention may be equally subjective. There may be no conclusive evidence that either party is acting in bad faith, or that the Executive is deliberately flouting the law.

Certainly there are some instances where evasion or ignoring of the law was deliberate, but in these cases the President usually acted upon what might be argued to be mitigating circumstances or what he regarded as a more fundamental legal authority. For example, President Jackson felt that his reelection in 1832, after a thorough public discussion of his veto of the bill to recharter the National Bank, justified his withdrawal of public funds from the bank 3 years before its old charter was to expire. Although he acted legally through his Secretary of the Treasury, Jackson knew that he was acting contrary to congressional intent. "Indeed, Congress had already refused to pass a measure authorizing him specifically to do this, \* \* \*."

In a case of historic importance, President Andrew Johnson fired Secretary of War Stanton in deliberate violation of the Tenure of Office Act, which had been passed over his veto, because he "was convinced that the act was unconstitutional and was consequently eager to get it in the courts for the purpose of a test."<sup>1</sup> Although Johnson was impeached primarily for this action and escaped conviction by only one vote, this law was repealed in 1887, and a very similar measure was declared unconstitutional in 1926 in *Myers v. United States* (272 U. S. 52).

The illustrations of alleged executive circumvention or flouting of legislative intent in the following pages of this report do not by any means comprise a definitive listing of examples. They are, rather, cases that could be compiled in the time available, and it is hoped that, taken together, they offer a fairly representative picture of cases of this type.

One other explanatory word is needed. No attempt has been made to present the other side, the answers to charges of executive disregard for legislative intent. Much background material has also been omitted. The political context surrounding each example is held to the absolute minimum.

President Theodore Roosevelt is known as a Chief Executive who believed in using the power of his office to the full. Two examples of his alleged circumvention of legislative intent are recorded here:<sup>2</sup>

<sup>1</sup> Binkley, Wilfred E. *The Powers of the President*, New York, Doubleday, Doran, 1937, pp. 76-77.

<sup>2</sup> *Ibid.*, p. 149. See also Corwin, Edward S., *The President: Office and Powers*, New York, New York University Press, 1948, pp. 77-78.

<sup>3</sup> Small, Norman J., *Some Presidential Interpretations of the Presidency*, Baltimore, the Johns Hopkins Press, 1932, pp. 148-149.

In two other instances, although his conduct ultimately received a judicial sanction, [T. R.] Roosevelt aroused the ire of his political opponents by employing the powers granted to him by these statutes to secure a result apparently not intended by these acts, and certainly not approved by Congress. Having failed to convince Congress of the urgency of preventing the acquisition by monopolies of public coal lands at ridiculously low prices, he undertook to remedy this situation by issuing a series of proclamations withdrawing these coal lands from public entry and setting them aside as parts of the national forest reserves. That a doubt existed as to the legality of these orders is attested by the refusal of his successor, Taft, to proceed further without an express sanction of Congress. Again, when an attempt was made to obstruct his efforts at conservation by attaching to an appropriation bill a rider exempting from withdrawal as reserves a large portion of public lands in the Northwest, Roosevelt, without assuming the responsibility of vetoing a financial measure, defeated this effort by setting aside all the timber lands in question before the bill was presented to him for signature.

President Woodrow Wilson was another of the so-called strong Presidents who believed in the vigorous use of all of the powers of his office, as the following excerpt shows:

Even Wilson, staunch advocate that he was of the observance of strictly legitimate procedures, was not averse, on the occasion of impending war, to execute a policy for which statutory authorization, previously solicited from Congress, had been refused. In asking Congress to empower him to arm merchant vessels, Wilson had spoken as follows:

"No doubt I already possess that authority without special warrant of law by the plain implication of my constitutional duties and powers, but I prefer to act not upon implication. I wish to feel that the authority and power of Congress are behind me."

Notwithstanding the defeat of an authorizing statute by the action of 11 willful men, Wilson proceeded to arm merchant vessels in reliance not only upon his constitutional powers but upon the support derived from an obsolete statute of 1819. Where an Executive relies on a novel interpretation of an existing statute, which was designed at the date of its adoption to serve a wholly unrelated purpose, it would seem that by an act of repeal, Congress could deprive the Executive of the color of authority for his action. Whether the repeal of the law could, of itself, halt the President is probably dependent upon whether his action, through his subordinates, could be made the subject of litigation.

The following excerpt is taken from the annual message of President Warren G. Harding delivered to the Congress on December 6, 1921:

"The previous Congress, deeply concerned in behalf of our merchant marine, in 1920 enacted the existing shipping law, designed for the upbuilding of the American merchant marine. Among other things provided to encourage our shipping on the world's seas, the Executive was directed to give notice of the termination of all existing commercial treaties in order to admit of reduced duties on imports carried in American bottoms. During the life of the act no Executive has complied with this order of the Congress. When the present administration came into responsibility it began an early inquiry into the failure to execute the expressed purpose of the Jones Act. Only one conclusion has been possible. Frankly, Members of the

House and Senate, eager as I am to join you in the making of an American merchant marine commensurate with our commerce, the denouncement of our commercial treaties would involve us in a chaos of trade relationships and add indescribably to the confusion of the already disordered commercial world. Our power to do so is not disputed, but power and ships, without comity of relationship, will not give us the expanded trade which is inseparably linked with a great merchant marine. Moreover, the applied reduction of duty, for which the treaty denouncements were necessary, encouraged only the carrying of dutiable imports to our shores, while the tonnage which unfurls the flag on the seas is both free and dutiable, and the cargoes which make a nation eminent in trade are outgoing, rather than incoming.

"It is not my thought to lay the problem before you in detail today. It is desired only to say to you that the executive branch of the Government, uninfluenced by the protest of any nation, for none has been made, is well convinced that your proposal, highly intended and heartily supported here, is so fraught with difficulties and so marked by tendencies to discourage trade expansion, that I invite your tolerance of noncompliance for only a few weeks until a plan may be presented which contemplates no greater draft upon the Public Treasury, and which, though yet too crude to offer it today, gives such promise of expanding our merchant marine, that it will argue its own approval."

One outstanding authority on the presidency declares that Franklin D. Roosevelt, in a message of September 7, 1942, peremptorily demanded that Congress repeal a certain provision of the Emergency Price Control Act or that he, the President, would treat this provision as repealed. After quoting a passage from the Roosevelt message, Edward S. Corwin goes on to say:

"In a word, the President said to Congress: 'Unless you repeal a certain statutory provision forthwith, I shall nevertheless treat it as repealed.' On what grounds did Mr. Roosevelt rest his case for power of so transcendent a nature? Although he made a vague gesture toward congressional acts, it is obvious that his principal reliance was, and could only have been, on his powers under the Constitution—that is to say, his conception of these. Presidents have before this in a few instances announced that they did not consider themselves constitutionally obligated by something which Congress had enacted but which, as they contended, trench on presidential prerogatives. This, for example, was Johnson's position in 1867. But the position advanced by Mr. Roosevelt \* \* \* goes beyond this, claiming as it does for the President the power and right to disregard a statutory provision which he did not venture to deny, and indeed could not possibly have denied, which Congress had complete constitutional authority to enact, and which, therefore, he was obligated by express words of the Constitution to take care should be faithfully executed."

Speaking of the administration of the Internal Security Act, former Senator Herbert R. O'Connor, of Maryland, said:

"There is strong evidence that some officials of this Government are engaged in a studied and deliberate effort to avoid compliance with certain basic provisions of the Internal Security Act of 1950 which are designed to protect this country against infiltration by Communist agents."

"Notwithstanding these provisions of the Internal Security Act which provide for the exclusion and deportation of aliens whose presence in this country endangers the public security, virtually nothing was being done

by the executive department to carry those provisions into effect."

"In the course of the last few days we held an executive session with the officials of the Department of State on this matter including the Chief of the Division of International Administration and the administrative attorney of the Division. So far as I can comprehend their attitude it is this, that the security of the United States should be weighed in the balance against a policy of facilitating our international relations with other nations. I assert that this is not only a direct violation of the Internal Security Act, which these officials are sworn to uphold and which is designed to protect this country, but is a course leading to the practical annulment of the statutory provisions passed by the Congress to protect our internal security."

"So long as certain officials of this Government refuse to heed the warnings of our intelligence agencies and deliberately ignore provisions of the Internal Security Act, we shall have an open door for the infiltration of spies and saboteurs."

Both President Truman and President Eisenhower have been subjected to congressional criticism for impounding funds which have been appropriated by Congress for specific purposes. In 1949 Congress appropriated money for 58 air groups. A Truman order of October 29 specified that funds would be spent for only the 43 air groups he had recommended. This policy was examined by the House Subcommittee on the Department of Defense Appropriations in January 1950. Members of the subcommittee regarded the action as an invasion of congressional authority. Representative SMITH declared: "I would consider that there is a prohibition in the law against the things which now are being done. The Congress under the Constitution decides how much money is to be expended. \* \* \* Anything done contrary to this is in my opinion contrary to the basic law of the land."

Last Summer President Eisenhower was accused by several Senators of acting, or threatening to act, with regard to already appropriated funds, in a manner that was contrary to the wishes and intentions of Congress. In the public works appropriation bill Congress inserted provisions for funds for some projects that did not appear in the President's budget. "According to the newspaper stories," said Senator MORSE, "the President implied such unbudgeted projects will not be initiated even though the Congress has specifically appropriated the funds until detailed engineering plans have been completed. \* \* \* It will be a sad day for government by law if a President is allowed to thwart the will of Congress as President Eisenhower apparently intimated he might do."

With reference to an aspect of the Dixon-Yates controversy, Senator O'MAHONEY said: "If it shall continue to be true that the President and the Bureau of the Budget can defy the acts of Congress in making appropriations and can say, notwithstanding the appropriations, that the works will not be built because the executive department does not approve of them, although the President has signed the bill it is useless to talk about saving free government." Referring to the congressional appropriation affecting the Marine Corps, Senator MANSFIELD declared: "Why should Secretary [of Defense] Wilson thwart the will of the Congress by saying he

\* Memorandum on the Powers of Congress, Short of Impeachment, To Control a President in Matters of the Faithful Execution of Congressional Legislation. Legislative Reference Service Report, October 20, 1942.

\* Corwin, Edward S., op. cit., pp. 304-305.

\* CONGRESSIONAL RECORD, 82d Cong., 1st sess., October 17, 1951, p. 13323-13324.

\* Executive-Legislative Relations: Examples of Real or Alleged Overstepping, 1920-51, Legislative Reference Service Report, May 28, 1951.

\* CONGRESSIONAL RECORD (daily edition), July 18, 1955, pp. 9176-9183.

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had impounded the \$46 million authorized by the Congress to keep the marines at their present strength? \* \* \* This is something the executive branch is doing regardless of the action taken by Congress." On another subject, Senator NEUBACKER said: "The President announces to the world, in a press statement, that, even though the Congress has provided for the Cougar Dam, he evidently does not intend to proceed with the spending of the money for it, although the appropriation has been provided by the Congress."

A question of executive as against legislative authority arose last July when President Eisenhower signed the Defense Department appropriation bill. Section 638 of this measure gave to the Appropriations Committees of the Senate and the House a virtual veto power over certain proposed cutbacks in some of the business enterprises in the Defense Department. The President signed the bill because the Department had to have the money, but he declared in his message of July 13 that section 638 "constitutes an unconstitutional invasion of the province of the Executive. \* \* \* Such section will be regarded as invalid \* \* \* unless otherwise determined by a court of competent jurisdiction."

According to the Washington Star of July 15, Representative SIKES was completely shocked at the President's attitude. "Seldom have I heard such complete and utter disregard for the rights and privileges of Congress or of the constitutional processes of law." He said the President would "in this way seek to place himself above the law and to set aside a section of law that he or someone who speaks for him does not like. This is veto by paragraph, and veto by paragraph is not legal. This is usurpation of the powers of the Congress." House Majority Leader MCCORMACK said: "I had the idea that the Civil War settled the question of nullification in this country, but this is a nullification of an act of Congress."

The following material consists entirely of examples of executive agreements and other international agreements arrived at through executive action. The first 2 excerpts discuss the subject in general terms; the next 4 consist of more specific illustrations:

The first of the general excerpts follows: "Generally speaking, the interwar period was characterized by the wide use of executive agreements to effect international understandings on matters that seem quite as important as those dignified by the use of the treaty-making process. Approval by two-thirds of the Senate was not required to terminate the First World War, to join the International Labor Organization, to acquire Atlantic naval bases in British territory in return for overage destroyers, to accept the Atlantic Charter, nor to enter into lend-lease agreements."

The second of the general excerpts states: "The United States annexed Texas and Hawaii, ended the First World War, joined the International Labor Organization, the Universal Postal Union and the Pan American Union, settled over \$10 billion worth of post-World War I debts, acquired Atlantic naval bases in British territory during World War II, acquired all financial claims of the Soviet Union in the United States, joined the United Nations pledging itself not to make separate peace in World War II and to accept the Atlantic Charter, submitted over a score of cases to international arbitration,

and modified the tariff in numerous reciprocal trade agreements by means other than the treaty-making process."

The more specific illustrations are:

#### "1. INTERNATIONAL LABOR ORGANIZATION"

"Membership of the United States of America, by proclamation by the President of the United States, September 10, 1934

"Whereas by a joint resolution of the Congress of the United States of America, approved June 19, 1934, the President was authorized to accept membership for the Government of the United States of America in the International Labor Organization, provided that in accepting such membership the President should assume on behalf of the United States of America no obligation under the covenant of the League of Nations. \* \* \*

#### "2. ACQUISITION OF ATLANTIC NAVAL BASES"

"Naval and air bases

"United Kingdom

"Arrangement providing for lease to the United States of naval and air bases in Antigua, Bahamas, Bermuda, British Guiana, Jamaica, Newfoundland, St. Lucia, and Trinidad and for transfer to the United Kingdom of 50 United States Navy destroyers.

"Effectuated by exchange of notes signed at Washington September 2, 1940.

"Duration: Not stated; leases to run for 99 years.

"Text: (54 Stat. 2405; E. A. S. 181; 203 L. N. T. S. 201). Opinion of the Attorney General.

"Advising that the proposed arrangement might be concluded as an executive agreement and that there was Presidential power to transfer title and possession of the overage destroyers (39 Op. Att. Gen., 484).

#### "3. ATLANTIC CHARTER"

"On August 14, 1941, President Roosevelt and Prime Minister Churchill, representing the United States and Great Britain, issued a joint declaration of peace aims. \* \* \*

#### "4. PAN AMERICAN UNION"

"The Pan American Union was set up and continues to exist by virtue of a series of resolutions to which the President's plenipotentiaries, as members of international conferences of the American states, gave his and their consent, but in regard to which Congress appears to have exercised no influence other than its power—common to both treaty- and agreement-made unions—to grant or to withhold appropriations for the payment of the recurrent dues."

Mr. MANSFIELD. Mr. President, will this new commission be able to make available to the public and to Congress anything they learn about CIA doing the wrong things or not doing enough of the right things? This commission is responsible to the executive department alone, and lacks the legal authority a congressional inquiry enjoys. An Executive order could conceal any report or recommendation the Board might make on the grounds that revealing such information might injure the country. The Congress would still remain in the dark.

It is true that intelligence services of other major countries operate without

\* U. S. Congress, 75th Cong., 3d sess., Senate Doc. 134, p. 5531.

\* U. S. Congress, 76th Cong., 3d sess., House Doc. 943.

\* Langer, William L., comp. and ed., *An Encyclopedia of World History*, Boston, Houghton, Mifflin Co., 1952, p. 1137.

\* McClure, Wallace M., *International Executive Agreements*, New York, Columbia University Press, 1941, p. 12.

\* Cheever, Daniel, and H. Field Haviland, *American Foreign Policy and the Separation of Powers*, P. 92.

\* McDougal, Myres S. and Asher Lans, *Treaties and Congressional-Executive or Presidential Agreements: Interchangeable Instruments of National Policy*, Yale Law Journal, Vol. 54, no. 2, March 1945. P. 238.

direct control of the legislatures. This is understandable in a totalitarian government, such as the Soviet Union. It is even understandable in a parliamentary democracy, such as Great Britain, where the entire administration is a part of and is responsible to Parliament. Our form of Government, however, is based on a system of checks and balances. If this system gets seriously out of balance at any point, the whole system is jeopardized, and the way is opened for the growth of tyranny.

CIA is the only major Federal agency over which Congress exercises no direct and formal control. Its budget and its personnel lists are classified. By law the agency can withhold even such obviously unimportant information as the salaries of its top officials.

It has been the tradition in both Houses of Congress to have individual, but corresponding, committees to handle legislation in both the House and Senate. We have the Committees on Agriculture, Finance, Judiciary, Foreign Relations, and so on. These committees generally correspond to executive departments or agencies in their jurisdiction.

The Congressional Directory lists CIA as an executive agency, directly responsible to the President; however, the other agencies and commissions under this listing are relatively small in number of employees and many act largely in an advisory capacity. We do not know how large CIA is, but according to plans for its new concentrated headquarters, it is no longer a small agency, if it ever was.

CIA is subject to congressional review by four established and fully authorized subcommittees, and I am sure that they are doing a creditable and fine job. But this is not enough. The Senators on these committees have many other things to consider, as members of the full Armed Services and Appropriations Committees. In addition, there is no staff to rely on. The Appropriation Committee's check on CIA is generally, I assume, when the executive budget request is up for consideration. The Armed Services Committee receives a periodic report, or at the committee's request. In addition, several checks have been made by independent groups, as we know. Even the recent Commission set up by the President functions only parttime, and will make only a periodic check on the CIA. That is not what we need; these checks are fine, but we need a continual check on the operations of this agency which seems to be expanding continually. The most efficient method is by a Joint Committee on Central Intelligence.

There have been a number of reports recently that all is not well with the CIA. The Hoover Commission reported a woeful shortage of information about the Soviet Union, and noted that the agency could stand some internal administrative improvements. These are the sorts of inadequacies which the newly appointed Commission certainly will not allow, but congressional guardian might be able to compel even swifter and surer reform than could an executive committee.

Everything about CIA is clothed in secrecy. CIA is freed from practically



every ordinary form of congressional review. Control of its expenditures is exempted from the provisions of law which prevent financial abuses in other Government agencies.

I agree that an intelligence agency must maintain secrecy to be effective. And I certainly do not mean to suggest that CIA should reprint for public consumption every item that comes across the Director's desk. If sources of information were inadvertently revealed, they would quickly dry up. Not only would the flow of information be cut off, but the lives of many would be seriously endangered. In addition, much of the value of the intelligence product would be lost if it were known that we possessed it. For these reasons, secrecy is obviously necessary.

However, there is a profound difference between an essential degree of secrecy to achieve a specific purpose and secrecy for the mere sake of secrecy. Once secrecy becomes sacrosanct, it invites abuse. If we accept the idea of secrecy for secrecy's sake we will have no way of knowing whether we have a very fine intelligence service or a very poor one.

If a new joint committee is set up as proposed in Senate Concurrent Resolution 2, all bills, resolutions, and other matters in the Senate or in the House of Representatives relating primarily to the CIA, would be referred to the joint committee; and the joint committee would, from time to time, make whatever reports are necessary to the Congress concerning its relationship with the CIA.

The enactment of the concurrent resolution would establish a joint committee, composed of 6 Members of the Senate to be appointed by the President of the Senate, and 6 Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Of the 6 Members to be appointed from the Senate, 3 shall be members of the Central Intelligence Agency Subcommittee of the Committee on Appropriations of the Senate and 3 shall be members of the Central Intelligence Agency Subcommittee of the Committee on Armed Services of the Senate. The six House Members would be appointed from the corresponding subcommittees in the House. In each instance, not more than four members shall be of the same political party.

The joint committee or any duly authorized subcommittee thereof would be authorized to hold such hearings, to sit and to act at such places and times, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deemed advisable. The committee would be, in addition, empowered to appoint a small, selective staff of persons having the highest possible clearance, and would be authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

The staff which I had envisioned for such a joint committee would be small and would be subject to the most rigor-

ous security regulations. Such a staff of trained, specialized, and dedicated persons would assist the committee members in making checks and appraisals on CIA and its operation. There certainly should be no more risk in trusting classified information to a trusted few connected with a congressional committee than there would be to a trusted many in a Government agency.

It has been pointed out that there is too little legislation to require a committee of this nature. Admittedly, proposed legislation which would be referred to the suggested joint committee might have helped to resolve problems and to make suggestions in the controversy over the site of the proposed CIA building. As to other legislation, it is difficult to know what might have happened. We must remember that a joint committee would also be a defender of CIA against unwarranted and unjustified attacks from within and outside the Federal Government.

Mr. President, in my opinion, the CIA is in somewhat the same category as the Atomic Energy Commission; and just as a special committee, with well-defined authority and powers, has been created on a joint congressional basis to oversee and supervise the interests of AEC, so I believe that a joint congressional committee should be created for the same purpose in connection with the CIA. I realize full well, because of the very nature of the duties of the CIA, that there has been no public scrutiny of its activities. This may be necessary in this day and age, but I believe that a joint congressional committee should be created for the purpose of making certain that good management is maintained in the CIA and also to keep a constant check on its intelligence policies. It is well, too, that this joint committee should be in a position to criticize any mistakes which the CIA may make.

Until a committee of the kind this resolution proposes is established, there will be no way of knowing what serious flaws in the Central Intelligence Agency may be covered by the curtain of secrecy in which it is shrouded.

The creation of the new executive board to review intelligence fulfills partially the suggestion of the recent Hoover Commission report on intelligence. However, it is only a partial fulfillment of the Hoover Commission recommendations. The Hoover Commission, on two occasions, suggested a bipartisan committee, including Members of both Houses of Congress, empowered by law to ask and get whatever information it thought necessary to aid, guide, or restrain CIA.

Recommendation No. 2 of the recent intelligence activities report of the Hoover Commission reads as follows:

That a small, permanent, bipartisan commission, composed of Members of both Houses of the Congress and other public-spirited citizens commanding the utmost national respect and confidence, to be established by act of Congress to make periodic surveys of the organizations, functions, policies, and results of the Government agencies handling foreign intelligence operations; and to report, under adequate security safeguards, its findings and recommenda-

tions to the Congress, and to the President, annually and at such other times as may be necessary or advisable. The proposed watchdog commission should be empowered by law to demand and receive any information it needed for its own use. It would be patterned after the Commission on Organization of the Executive Branch of the Government (Hoover Commission). Appointments by the President of persons from private life to the proposed commission should be made from a select list of distinguished individuals of unquestioned loyalty, integrity, and ability, with records of unselfish service to the Nation.

Mr. President, I wish to state again that the appointment of the citizens board should not preclude the establishment of a continuing and permanent congressional watchdog committee. Such a committee would act as a financial overseer, supervisor, guardian, sponsor, and defender of the CIA. It could give a constant and more thorough supervision to our intelligence activities than could any periodic check.

At the time of my appearance before the Rules Committee in behalf of this concurrent resolution I was informed by the distinguished senior Senator from New Hampshire [Mr. BRIDGES] that he voted against the creation of the civilian advisory group, and it is his belief that the distinguished senior Senator from Arkansas [Mr. McCLELLAN] joined him in this decision. Both of them, however, as members of the Hoover Commission, would recommend, according to the Senator from New Hampshire [Mr. BRIDGES], the establishment of a Joint Congressional Committee for the CIA.

Two committees, the Joint Congressional Atomic Energy Committee and the Joint Congressional Central Intelligence Committee, would be mutually supporting. They should insure as far as humanly possible, a proper support for and control of our powerful intelligence organizations. This a citizens' committee cannot do alone.

Before concluding my statement in behalf of Senate Concurrent Resolution 2, I wish to comment briefly on the determined opposition to this measure being voiced by various members of the executive department. The determined effort to defeat this concurrent resolution is another instance of executive interference with a purely congressional function. In fact the President is quoted in the press to have said, "It is too sensitive for Congress to take it up."

I am sure that I need not remind my colleagues here in the Senate that a concurrent resolution is not subject to Presidential approval or disapproval. It is the prerogative of the Congress to set up such a joint committee if it so desires.

Executive control has been on the increase in recent years, and I do not feel that this is good for a Federal government whose secure foundation is based upon a system of checks and balances between the executive, legislative, and judiciary.

As an illustration—and I have mentioned this before—I wish to remind my colleagues that last year the Congress appropriated an additional \$40 million in funds to maintain the Marine Corps budget at a more satisfactory strength, but these funds were not used as di-

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rected by Congress. In the American system each important segment of our governmental operation is subject to check by another segment. Such an important agency as CIA should not be left unchecked.

As has been so ably stated by New York Times columnist, Hanson Baldwin:

If war is too important to be left to the generals, it should be clear that intelligence is too important to be left unsupervised.

I firmly believe that it is now more imperative than ever that a joint congressional committee be created at the earliest opportunity. The representatives of the people are the ones who should be given, through a joint committee of Congress, the right to act for the Congress vis-a-vis the CIA, just as the Joint Committee on Atomic Energy does at the present time and has done for some years vis-a-vis the Atomic Energy Commission.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. The most convincing argument, in my opinion, for the adoption of the concurrent resolution is President Eisenhower's objection to it. When the President of the United States says that the matter of the CIA is too sensitive for Congress to take up, he shows the American people what many of us have long known, namely, his lack of understanding and appreciation of the legislative process of the Government, and the check and balance system of the Constitution.

I say to the President of the United States from the floor today that no topic of Government belonging to all the people of the country is too sensitive for the elected representatives of a free people to handle. It is about time the American people made that clear to the President. What the President needs is a refresher course on the constitutional system of our country.

For the President to say that Congress, acting under the legislative process of a concurrence resolution, seeks to deal with a subject matter which is too delicate for Congress to handle, shows that the President lacks a sensitivity and an understanding of our constitutional system itself. His very criticism of the Senator's concurrent resolution is, in my opinion, a sound reason for the adoption of the concurrent resolution at the earliest possible hour.

Mr. MANSFIELD. I may say to the Senator from Oregon that the Senate, likewise, should wake up to its responsibilities and should recognize the fact that what we are considering today is a resolution which will not, under any conditions, be sent to the White House. This is a matter for Congress itself to decide. I think Congress can take care of its own housekeeping, and is fully capable of rendering its own decisions and making its own judgments.

Mr. MORSE. I completely agree with that comment. One of the reasons why I am one of the cosponsors of the concurrent resolution is that it is long overdue that the Congress of the United States should assume its clear responsibility in this matter. We should pro-

ceed, without any hesitation, to give the people of the country a service they are entitled to have from us, by adopting the concurrent resolution, thus bringing the CIA under the surveillance of the Congress, and putting an end to this type of government by secrecy on the part of the President of the United States.

Mr. MANSFIELD. I thank the Senator.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LANGER. I wish to agree fully with the viewpoints of the distinguished Senator from Montana.

#### EXHIBIT I

[From the Wall Street Journal of January 27, 1956]

#### THE LONE JUDGE

Mr. Allen Dulles, head of the cloak-and-dagger Central Intelligence Agency, opposes a bill now before the Senate which would create a congressional watchdog committee for CIA.

The bill would empower a 12-man committee drawn from the House and Senate Armed Services and Appropriations Committees to ask CIA how it's doing in intelligence matters and where the money's going that it spends. These are questions Congress cannot now ask.

Mr. Dulles doesn't like the idea; he says that if the bill becomes law there might be leaks of Agency secrets from the committee which might endanger the plans and programs of CIA. We can recall no important leaks from the Joint Congressional Atomic Energy Committee which watchdogs the AEC.

Apparently a number of Senators don't agree with Mr. Dulles' ideas on the subject. Thirty-five of them sponsored the watchdog bill under which Mr. Dulles will have to leak some information to the Congress which created the secret agency. Mr. Dulles may make no mistakes in assessing intelligence; but he should not be the lone judge in matters that have to do with the intentions of other nations for war or peace.

[From the Butte Standard of January 29, 1956]

#### OUR INTELLIGENCE HAS BEEN FOUND WANTING

A Hoover Commission task force looked into the operations of the highly secretive Central Intelligence Agency last spring and came up with this conclusion: "The task force is deeply concerned over the lack of adequate intelligence data from behind the Iron Curtain."

The task force also found: "Effective intelligence has become increasingly necessary for our protection against propaganda, infiltration and aggressions of the Communist leaders. By trial and error, study and skill, we have made progress; but we must not labor under any complacent delusions."

Reflecting upon this incident, as well as upon the fact that not all of the Hoover commission's recommendations have been carried out, might cause one to wonder if lack of intelligence about what is happening behind the Iron Curtain is not the direct cause of a lot of disorder in Washington.

The number of contradicting statements relative to the armed strength of the Soviet Union would indicate that we don't know very much about what the Soviet has. This fact could easily be the cause of much of the disunity in our own defense department.

If a commander is in the dark about what kind of opposition he is likely to run into, he is in a similar manner in the dark as to how to prepare for the contingency of conflict.

So, it seems that our intelligence may be at fault, although the Hoover Commission task force found at least 12 major depart-

ments and agencies dealing in intelligence in one form or another.

The lack of knowledge would similarly have a blighting effect on the conduct of our foreign policy. It might even cause a war, whereas if our intelligence had been more complete war could have been avoided.

One of the recommendations made by the task force was that the President appoint a committee of experienced citizens to examine and report to him periodically on the work of the Government foreign intelligence activities. It was directed that the President might make public such findings as he saw fit.

Such a committee has just been appointed by President Eisenhower. It includes such personages as Robert A. Lovett, former Secretary of Defense.

The other part of the recommendations made public had to do with Congress. It was recommended that the Congress consider creating a joint congressional committee on foreign intelligence, similar to that on atomic energy.

It would be the duty of the two committees to collaborate on matters of special importance to the national security.

Congress as yet has not acted.

There was still a third part of the Hoover Commission report which dealt with the highest security classification. It was sent directly to the President.

Needless to say, the American people would rest easier if they knew more about and had greater confidence in our intelligence organizations.

On the reverse side, it has been demonstrated time and again the Communists have a world-wide intelligence system which works at a very high degree of efficiency.

[From the Washington Evening Star of February 20, 1956]

#### CIA LEADERS ARE COOL TO WATCHDOG PROPOSAL

(By Richard Fricklund)

The Central Intelligence Agency enthusiastically obeys the law which imposes strictest secrecy on its activities, but the Agency still is subject to the scrutiny of several outside executive and congressional groups.

Soon—possibly Wednesday—a group with the sole function of watchdogging the CIA is expected to get Senate Rules Committee approval.

Backers of the watchdog committee say that while it is true that four congressional subcommittees, the Budget Bureau and a new presidential commission all to look at some facets of the CIA, no congressional group keeps a close, constant check on it the way the Joint Atomic Energy Committee watches the also-secret Atomic Energy Commission.

#### COOL TO SCRYTINY

The CIA is reported to be cool toward the watchdog idea. But perhaps the most tasteful part of the expected Rules Committee approval of the bill will be the public attention sure to follow.

The job of the CIA is to gather intelligence and coordinate the intelligence activities of more than a score of other agencies.

The genesis of the CIA goes back to the day Japanese bombs shattered the morning calm at Pearl Harbor, December 7, 1941. American intelligence agencies knew that raid was coming, but the information was never properly used.

To protect against future Pearl Harbors, a National Intelligence Authority was set up immediately after the war body created a Central Intelligence Group that grew into the Central Intelligence Agency. The job of the Agency is to gather foreign intelligence, which includes spying in the traditional sense as well as research into more conventional sources; coordinate intelligence activities of other agencies, and assemble the

material in usable form and deliver it to the policymakers in time.

#### WEEKLY MEETINGS

Director of Central Intelligence Allen Dulles meets once a week with the heads of Army, Navy, and Air Force intelligence, the National Security Agency, the Federal Bureau of Investigation, the intelligence sections of the executive departments, to draw up summaries of latest estimates of a potential enemy's capabilities and to predict the potential enemy's probable course of action.

These estimates—and often vigorous dissenting opinions—are taken the next day to the National Security Council by Mr. Dulles. Sitting on the council are President Eisenhower, Vice President Nixon, Secretary of State Dulles, Secretary of Defense Wilson, and Office of Defense Mobilization Director Arthur S. Flemming.

How the CIA arrives at the intelligence estimate and the nature of the estimates themselves are things the potential enemy would very much like to know. To guard that information, the CIA was given unprecedented powers of secrecy by Congress.

#### CAN SET OWN PAY SCALES

The 1947 act setting up the agency specifies that the director need not make his spending public or explain the agency's organization or the identity of its personnel, its methods of operation or its sources. Mr. Dulles can hire or fire whom he pleases and set his own salary scales. He can bring as many as 100 unidentified aliens into this country every year, and he can hand out bribes to foreign code clerks or finance beautiful blonds in Vienna apartments.

There are some checks on the CIA, however. The agency is directly under the President and the National Security Council and must justify its activities there. And the CIA budget must be defended in detail before a small group of Budget Bureau officials.

An eight-man board of consultants was named by President Eisenhower last month to review semiannually the work of the CIA. Its chairman is Dr. James R. Killian, Jr., president of Massachusetts Institute of Technology.

The group has set up shop with a small staff in the executive offices building. It will report directly to the President, and only a few innocuous parts of each report will be made public.

The CIA also is checked by four subcommittees of Congress, made up of 17 Congressmen, the senior members of the House and Senate Armed Services and Appropriations Committees.

The CIA tells the appropriations subcommittees as much as they want to know about the agency's budget. Figures are not made public. They are concealed in the published Federal budget, in fact, by being scattered through appropriations for other agencies.

#### GET COMPLETE ANSWERS

The Armed Services Subcommittees receive intelligence reports and complete answers, according to Senator RUSSELL, to all questions asked about CIA activities.

The annual spending of the CIA is known only to the Appropriations Subcommittees. Many guesses have been made—ranging from a few hundred million dollars a year up to more than a billion. But the Hoover Commission said other intelligence agencies outspend the CIA, so it is perhaps a fair guess to say the CIA budget is around \$100 million and that the agency employs about 15,000 full-time persons.

#### HEADQUARTERS NO SECRET

Headquarters of the agency is a group of aged brick buildings at 2430 E Street NW. Its location is no secret. Any cab driver can take you there if you just ask for the Central Intelligence Agency.

Once you are there, however, you cannot enter any building unless you're on business. Security restrictions inside, of course, are maximum. No visitor wanders through the halls alone. Guards are everywhere.

Much of the work—perhaps 90 percent—is routine research in unclassified documents—foreign publications, phone books, technical journals, newspapers, and the like. It is not the material, but the way it is put together and the conclusions that can be drawn that are important.

A minor number of employees are engaged in cloak-and-dagger activities abroad.

#### NO DOMESTIC FUNCTIONS

The CIA has no domestic function, according to the law, but every once in a while a CIA man turns up with a bit of domestic intelligence—such as the time an agent reported erroneously that Far East specialist Owen Lattimore was about to leave the country.

Job applications are mistrusted—they might be from Communists trying to gain entry—and the Agency likes to seek out its own prospective employees. Higher echelon workers are recruited through personal contact.

Of all persons who formally apply for jobs with the CIA, more than 82 percent are rejected by personnel or security officials. Every employee must undergo a full FBI security check.

As director of Central Intelligence, Mr. Dulles' brother of the Secretary of State, is head of the CIA and coordinator of all Government intelligence activities. Mr. Dulles, 62 years old, has had a long career in diplomacy, international law and spying. His exploits as an OSS agent in Switzerland during World War II have become spy-thriller classics.

He is as friendly and shaggy as a St. Bernard, dresses in rumpled tweeds and baggy sweaters, and gestures with a pipe. His appearance creates two impressions valuable to him: He is a man you can trust; he has nothing to hide.

Mr. Dulles' deputy is Lt. Gen. Charles P. Cabell, formerly director of the Joint Staff of the Joint Chiefs of Staff and intelligence director of the Air Force. He is 50 years old.

Head of the CIA's technical intelligence is a former Harvard law professor, Robert Amory, Jr. He is 39.

[From the Washington Evening Star of February 21, 1956]

#### PRODUCT OF CIA EXPENSES QUERIED ON CAPITOL HILL

(By Richard Fryklund)

Several Congressmen who are not on 1 of the 4 unpublicized subcommittees which have contact with the Central Intelligence Agency want to know if the country is getting its money's worth out of the supersecret organization.

"The average Member of Congress knows no more about the CIA than what he reads in the papers," said Representative MCCARTHY, Democrat of Minnesota. "We don't know how much the group spends or what it produces, and that disturbs many of us."

"I doubt if even Chairman VINSON, of the Armed Services Subcommittee on the CIA, knows enough about the Agency—and, of course, what he does know he quite properly keeps to himself."

Neither Representative MCCARTHY nor other backers of bills to set up a House-Senate committee to "watchdog" the CIA want the Agency's affairs made public. Nor do they believe the CIA is grossly maladministered.

#### CHECK IS SOUGHT

But they do believe that the interests of good government require that a standing committee keep a continual check on the CIA.

"Such a committee would not pass on much information either," Mr. MCCARTHY said, "but it could assure other Congressmen and the public that the CIA is operating efficiently."

Whether the CIA is a topflight intelligence organization spending its money judiciously, no one is in a position to say publicly. Most criticism is necessarily uninformed, and the CIA never answers back openly.

Allen Dulles, Director of Central Intelligence, will sometimes call a critic in for a private chat or will drop a note of protest to the editor of a paper which he thinks has attacked the CIA injudiciously.

The most authoritative criticism has come from the Hoover Commission task force, headed by Gen. Mark Clark. The group was given full access to CIA secrets. In a public report filed last June (there was another classified report given to the President) the Commission gave the CIA this indorsement:

"On the basis of its comprehensive studies the task force feels that the American people can and should give their full confidence and support to the intelligence program."

#### DULLES' BURDEN CITED

But there were also these specific criticisms:

Director Dulles has taken on too many burdensome duties and responsibilities himself.

There is not enough concentration on collection of intelligence information from behind the Iron Curtain.

The glamour and excitement of some aspects of the work sometimes overshadows other vital functions.

There is not enough machinery available for outside surveillance of the CIA.

On the first criticism, the Hoover Commission was whistling into the wind. Mr. Dulles, considered one of the world's master intelligence experts by the cognoscenti, loves his work and is not about to turn the fun over to subordinates. If anything, he has assumed more responsibilities since the Clark report.

Mr. Dulles does not tense up under responsibility. His friends believe he can safely assume more work than could another administrator.

#### REDS TOUGH TO PENETRATE

The quality of intelligence from the Soviet Union, Red China, and the satellites does not satisfy Mr. Dulles. The Communist countries are tougher to penetrate than Germany was during World War II, and spying there is an exceedingly difficult job.

The problem of glamour versus grubbing always will be with the CIA. Employees have no reward except their Government salaries and inward satisfaction. The occasionally exciting assignment is what keeps many employees on the job.

A Hoover Commission recommendations for a Presidential panel to examine the CIA periodically was approved by Mr. Dulles, and the panel is now operating. Another recommendation for a congressional watchdog committee has been ignored officially by the CIA.

Senator MANSFIELD, author of a watchdog bill scheduled to be approved by the Senate Rules Committee tomorrow, believes that Mr. Dulles opposes his bill on two grounds: The present intermittent contacts with congressional committees are very satisfactory, and the more persons who know about CIA activities, the more difficult it will be to maintain secrecy.

#### SUCCESS AND FAILURE

The proof of the CIA pudding lies, of course, in the eating. What are the successes and failures of the group?

Again one runs into uninformed opinion and "no comment." Critics say the CIA muffed the Red Chinese invasion of North



Korea, the release by South Korean President Rhee of the Red prisoners of war during the truce negotiations and the recent Soviet economic penetration of South Asia. They say the CIA has lost friends for America in Burma by maintaining a group of Nationalist Chinese guerrillas there, and the CIA agents have messed unsuccessfully in palace revolutions in several countries.

These are the answers:

No one knows when the CIA muffs because the Agency's responsibility ends when it has gathered and evaluated the intelligence. If this country was caught off base in North Korea, it may be because men responsible for policy and action did not properly use the intelligence available.

There are some well-known successes. The CIA is credited with the overthrow of the Red-oriented government of Guatemala and the Iranian regime of Premier Mossadegh. In both instances, apparently, CIA agents helped organize and supply the opposing, more democratic, forces.

#### STILL HAS BUGS IN IT

The CIA is a new agency, organized in 1947, so it certainly has bugs to be worked out.

Its biggest administrative problem is personnel. Mr. Dulles pays civil-service wage scales, yet he needs employees of high intellectual quality. A young man who can get money, public prestige, and the admiration of his wife by doing a good job in law or business has little inclination to bury his talents in the CIA—where he can't even boast to his wife.

Relatively low pay and complete anonymity has lost many good men for Mr. Dulles. The Director is sufficiently worried about it that he personally examines the problems of all persons above clerical level who submit resignations.

He does not expect to solve the personnel problem. He hopes to ease it by making working conditions more attractive. That is why he wants a new campus headquarters for the CIA in a pleasant residential area near Langley, Va.

Security within CIA walls is a constant problem. The Hoover Commission said, however, that the CIA handles it well—that there apparently has been no effective Communist penetration of the agency. Lower-level employees have been ousted, however, for alleged subversive associations.

There comes a final area of criticism: The trivial secrecy rules that are always good for laughs at Washington cocktail parties.

#### CAN'T REVEAL JOB

Except for a half dozen topmost employees, CIA workers are not permitted to say publicly where they work. So frequently when a group of Government people get together to talk shop there will be one man in the crowd who will say, "I can't tell you where I work." The group laughs and says, "CIA."

When one telephones the CIA—the number is in the book—an operator answers with the phone number, under the impression, it seems that she can keep secret the outfit one is calling.

And the CIA used to get along without an identifying sign on the gate—despite the fact most any cab driver can take a passenger there without directions.

The CIA knows everyone is laughing, but maintains there are good reasons for the cloak and dagger stuff. What the reasons are specifically, it won't say, but apparently the agency believes a few extra precautions are worth the general merriment.

[From the New York Times of February 22, 1956]

**GOP SENATORS BACK CIA CHECK—POLICY GROUP BRUSHES ASIDE EISENHOWER'S OPPOSITION TO CONGRESSIONAL GROUP**

WASHINGTON, February 21.—Senate Republicans brushed aside today President Eisenhower's objections to a special Con-

gressional committee to check on the Central Intelligence Agency.

They indicated that they would give active, and possibly unanimous, support to the basic principle of a bill by Senator Mike Mansfield, Democrat of Montana, calling for a CIA committee similar to the Joint Congressional Committee on Atomic Energy, which keeps watch on the Atomic Energy Commission.

The intelligence agency gathers worldwide information on action and intentions of other nations.

The Republican Senators obviously were miffed by what they regarded as the President's implied lack of trust in Congress' discretion in handling super-secret intelligence matters.

President Eisenhower created a special eight-man citizen's commission on the CIA in January, but it contained no Members of Congress. It also was directed to report directly to the President with no provision for congressional review.

Senator STYLES BRIDGES of New Hampshire, chairman of the Senate Republican Policy Committee, told reporters after the regular weekly luncheon of all Republican members that the group had been advised the President was "very much opposed" to the MANSFIELD bill.

"He [the President] said it was too sensitive for Congress to take it up," Senator BRIDGES declared.

#### BRIDGES NOT IMPRESSED

Senator WILLIAM F. KNOWLAND of California, the Senate Republican leader, told the policy group of the President's views. Senator BRIDGES said that the news did not impress him, nor did it have any noticeable effect on other Republican members.

Senator BRIDGES declared that most of his colleagues seemed to believe the President, in his creation of the citizens' advisory board, had indirectly suggested that intelligence bearing on this country's security was "too delicate" for Congress to handle.

He said that this implication that outsiders were more to be trusted than Members of Congress had "annoyed" the Senators and brought them "much nearer" the Mansfield bill. The measure already has 34 cosponsors on both sides of the aisle.

As matters now stand, the CIA is the only major Federal agency over which Congress exercises no direct and formal control. Its budget and its personnel lists are classified, and the only supervision Congress exercises is through subcommittees of the Senate and House Appropriations and Armed Services Committees. Even these receive only sketchy reports on the agency's activities.

#### ALLEN DULLES OPPOSES MOVE

The Director of the Agency, Allen W. Dulles, a brother of John Foster Dulles, Secretary of State, has argued against creation of a congressional committee on the ground that members might leak vital secrets to the press.

Senator MANSFIELD and other Members of Congress have retorted that members of the Joint Atomic Energy Committee have not leaked information about the activities of that highly sensitive agency.

The Mansfield bill would create a 12-man joint committee, to be composed of 3 members each from the House and Senate Armed Services and Appropriations Subcommittees. It would be empowered to maintain a constant check on the budget, personnel, and general activities of the Intelligence Agency.

The Commission on Organization of the Executive Branch of the Government recently urged creation of a permanent bipartisan commission on intelligence that would include Members of both Houses of Congress and other public-spirited citizens \* \* \* empowered by law to demand and receive any information it needed for its own use.

[From the Washington Daily News of February 25, 1956]

#### THIS ONE IS ESSENTIAL

In its report on our intelligence agencies, and more particularly the Central Intelligence Agency which is overall top dog, the Hoover Commission said in effect we are pretty fair. But—

It was deeply concerned about the lack of adequate information from behind the Iron Curtain.

And it went on to report other findings which led to the conclusion that our intelligence is not as good as it ought to be. It ought to be superlative.

"Intelligence," said the Hoover task force, "deals with all things which should be known in advance of initiating a course of action."

Whatever we do, militarily, politically, diplomatically, economically, in world affairs, is hit or miss unless it is based on facts.

Our ability to exist and survive in this kind of world depends on assembling the facts, faithfully, and promptly. And then on correct evaluation of the facts. There is evidence that we have missed on both points, too often.

That could be fatal.

The Central Intelligence Agency is a big, top secret, costly operation. Nobody in it will tell you the time of day. We don't want 'em to. But—

"The people who support these operations are entitled to assurance that the investment is paying dividends."

So said the Hoover Commission. So, in effect, said President Eisenhower, who then appointed an independent, civilian committee to keep watch on the CIA. An able committee, too.

Now the Senate Rules Committee has cleared a resolution creating a Senate-House committee to do the same thing. This the Hoover Commission also recommended. It makes good sense.

Congress ought to know whether the CIA is doing its job. It ought not to just think it is doing O. K. It ought to know, positively.

This joint committee is the way to know. Senate and House should pass this resolution as an urgent safeguard of our national interest.

[From the Washington Daily News of February 25, 1956]

#### CHECK IS URGED ON CIA

(By Marshall McNeil)

The chief United States spy and counter-spy bureau—the little known and highly secret Central Intelligence Agency—has been accused by a Senate committee of unquestionably placing itself above other Government departments.

The Senate Rules Committee with this accusation has recommended creation of a permanent congressional committee to keep an eye on CIA. There was one dissenter.

Its recommendation comes after 35 Senators and 25 Members of the House have sponsored bills to provide continuing congressional surveillance of this agency whose every aspect is now, the committee said, beclouded with secrecy.

The pattern for the special "kibitzing" congressional committee was set in the first law turning our atomic-energy enterprise over to civilian control. The atomic "watch-dog" committee is generally regarded as having done a first-class job in keeping an eye on our atomic advances.

In World War I, the Rules Committee said, the United States "had no intelligence service equal to the name." Between the two World Wars, reliance in this field was placed upon the military services and the State Department.

As World War II started, the Office of Coordinator of Information was set up to col-

lect and analyze information bearing upon national defense. This was transformed into the Office of Strategic Services. In 1947, Congress established the National Security Council and under it the present CIA.

Although it has immense powers, worldwide operations, and many millions to spend, CIA is listed with four lines of type in the Congressional Directory. These give its name, main address and telephone number, and the names of its two bosses: The Director, Allen W. Dulles, brother of the Secretary of State, and the Deputy Director, Lt. Gen. C. P. Cabell, an Air Force officer.

The Rules Committee found these studies insufficient. "It is not enough," its report says, "that CIA be responsible alone to the White House or the National Security Council. Such responsibility should be shared with Congress in a more complete manner."

"It is agreed that an intelligence agency must maintain secrecy to be effective," the Rules Committee said. "There is, however, a profound difference between an essential degree of secrecy to achieve a specific purpose and secrecy for the mere sake of secrecy. Secrecy now beclouds everything about CIA, its cost, its personnel, its efficiency, its failures, its successes."

"The CIA has unquestionably placed itself above other Government agencies. . . . It is difficult to legislate intelligently if there is a dearth of information upon which Congress must rely . . . to protect the public welfare . . ."

[From the San Francisco Examiner of February 28, 1956]

#### ANOTHER LOOK

President Eisenhower is reported to be very much opposed to a bill sponsored by Senator MANSFIELD of Montana, and already approved by the Senate Rules Committee, which would set up a joint Senate-House "watchdog" committee to check on the operations of the Central Intelligence Agency.

If this is true, we think the President should take another look at the matter.

He is right that the CIA is a sensitive operation, being mainly concerned with what goes on secretly behind the diplomatic and military scenes at international levels.

But immunity from scrutiny is a dangerous thing to grant under any system of government, and it is particularly repugnant in a democracy where the people are the masters rather than the servants of Government.

It seems to borrow a page out of the book of rules of the authoritarian state, to suggest that neither the people nor their representatives in Congress are entitled to hold any agency of Government accountable for its acts and expenditures.

Every bureaucrat covets that immunity, and most bureaucrats think they could do better jobs under it, and perhaps there are even some who could be safely entrusted with it.

But the bureaucratic aspiration to be free of all responsibility to the people is always the forerunner of tyranny, because it not only gives freedom of action to the sincere and the worthy but it also provides a cover for the mistakes and crimes of the inefficient and the corrupt.

There are many so-called sensitive agencies in Government, including the Federal Bureau of Investigation, but it is doubtful if blank check authority would increase their usefulness to the Nation.

[From the CONGRESSIONAL RECORD of March 12, 1956]

#### CONTROL OVER CIA NOT IMPRACTICAL

(Extension of remarks of Hon. CLEMENT J. ZASLOCKI, of Wisconsin, in the House of Representatives, Thursday, March 8, 1956)

MR. ZASLOCKI. Mr. Speaker, under leave to extend my remarks in the Record, I wish to recommend to the attention of the membership of this body an editorial which appeared

in the Milwaukee Journal on March 6, 1956, entitled "Some Congressional Control Over CIA Is Not Impractical."

During the last 3 years I have exerted repeated efforts on behalf of the proposal to establish a Joint Committee on Intelligence Matters. I have first outlined my proposal on this subject in House Concurrent Resolution 169, 83d Congress, and reintroduced it, in an amended version, in House Concurrent Resolution 28, 84th Congress, together with over a score of my distinguished colleagues.

It is my sincere hope that the House Rules Committee will report House Concurrent Resolution 28 in the near future.

#### "SOME CONGRESSIONAL CONTROL OVER CIA IS NOT IMPRACTICAL"

"For several years there has been a rash of resolutions in Congress calling for an agency to watch over the Central Intelligence Agency, our top cloak and dagger corps.

"The second Hoover Commission called for the same thing. It suggested that a small, permanent Commission composed of a bipartisan representation from Congress and distinguished private citizens handle the job.

"President Eisenhower has gone halfway. He recently named a civilian Commission in the executive branch to serve as watchdog and report to him. But he has shied away from letting Congress in on the act. This hasn't stilled demands that Congress take a hand in watching an agency for which it appropriates money. Senator MANSFIELD, Democrat, Montana, has come up with a bill to create a joint committee of both Houses of Congress to work with the CIA. The Senate Rules Committee has agreed to congressional action on the bill and it has attracted a large measure of support.

"The Hoover Commission pointed out that the CIA, because it needs a large degree of secrecy to operate, is exempted by law from rules that control other Government agencies. For instance, the General Services Administration, the Government's housekeeper, has no control over CIA at all. CIA is exempted from compliance with any provision of law limiting transfers of appropriations; any requirements for publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the agency; and any regulations relating to the expenditure of Government funds.

"Such exemptions are, by and large, proper. The Atomic Energy Commission has similar exemptions. But Congress does have to appropriate funds for the CIA. It created the Agency and set its scope of activities. Surely someone in Congress should be given at least peek enough to make sure that CIA is operating efficiently and properly. This is particularly true because of criticisms—some from the Hoover Commission itself—of some shortcomings in CIA.

"The AEO, which hoards secrets, too, has a joint congressional committee which is given enough of a picture to judge whether the organization is handling Government funds properly. The joint committee has worked exceedingly well, and without weakening national security. The same sort of committee could do the same sort of job for CIA. It wouldn't have to be told everything—and shouldn't.

"But Congress ought to be able to determine whether the dagger is being kept sharp and the cloak is kept cleaned and pressed and buttoned. It's basic that Congress, with control of the purse, must get enough information to make an informed judgment on how the purse is expended.

"That's all MANSFIELD and others want—and it's little enough to ask."

[From the Wall Street Journal of January 18, 1956]

#### A CHECK ON THE WATCH

Recently President Eisenhower announced the appointment of a committee of eight

citizens to serve as watchdog over the Central Intelligence Agency. Their duties will be to review periodically the workings of the supersecret CIA and report their suggestions and give their advice to the Chief Executive. So far so good.

But there is a serious question whether the authority of the committee goes far enough. The CIA is clothed in such secrecy that even the Congress cannot ask about its inner activities. By law it can withhold even such obviously unimportant information as the salaries of its top officials. Its adventures are known only to a few people. The gentlemen serving on Mr. Eisenhower's committee will have neither power nor control over CIA. And there is a question how much they will be permitted to learn under the Agency's broad charter.

There is the further question whether this committee will be able to make public anything they may learn about CIA doing the wrong things or not doing enough of the right things. The reports are to go to the executive department and no executive department under whatever administration likes to see errors or shortcomings publicly revealed. In the case of CIA, an Executive order could clothe in secrecy whatever the watchdog committee thought should be revealed even from the Congress on the ground that revelation might injure the country.

It has been said that the appointment of the committee follows the suggestion of the Hoover Commission. The fact is that it does not. The Hoover Commission suggested a bipartisan committee including Members of both Houses of Congress empowered by law to ask and get whatever information it thought necessary to aid, guide, or restrain CIA.

Though nearly everything CIA does is secret, there is no secret about one thing. CIA is run by men, and though the men who run it may be more intelligent than other men they still may make mistakes as do all other men. Slight errors in intelligence assessment may not, individually, amount to a very great deal; collectively, they could have the most serious consequences. To set a national policy on a wrong course because of compounded errors could be more dangerous than no intelligence agency at all.

We hope no one will read into these remarks a suggestion that CIA run off carbon copies for all who ask about its activities; that would be as silly as it would be unwise to leave CIA answerable only to itself.

Neither do we suggest that CIA is not doing its job properly; we could not so suggest, for even the Congress does not know whether it is or not. And that is precisely our point.

Surely the Congress, with its power to declare war, has a responsibility to watch carefully over an agency it created to stand watch in that shadowland between peace and war.

[From the New York Times of January 15, 1956]

#### WATCHDOG OF THE CIA—AN EVALUATION OF THE PRESIDENT'S ACTION IN NAMING BOARD TO REVIEW INTELLIGENCE

(By Hanson W. Baldwin)

The President's appointment last week of an eight-man board to review periodically the Nation's intelligence activities is a step in the right direction. But unfortunately it does not go far enough.

The establishment of the citizen's commission was approved by Allen W. Dulles, Director of the Central Intelligence Agency. The action will be interpreted on one hand as an attempt to head off the establishment of a congressional watchdog committee on the Intelligence Agency. On the other hand it lends tacit support to frequent and repeated criticisms of our intelligence services, particularly of the CIA.

The recent Hoover Commission report on intelligence activities recommended the establishment of a permanent bipartisan commission on intelligence. But it suggested a different form from that announced last week.

The Hoover Commission urged the inclusion of "Members of both Houses of the Congress and other public-spirited citizens \* \* \* empowered by law to demand and receive any information it needed for its own use."

The President's board has no congressional members. Although it has executive authority for support it does not have the legal authority that congressional enactment could give. In other words, it is not powerful enough or broad enough. Nor will it have sufficient continuity.

#### CIA UNDER CRITICISM

Nevertheless the reputation, experience, and character of the eight appointees, who include Robert A. Lovett, former Secretary of Defense, give promise that the board will, in fact, as the President suggested, "make a real contribution to the task of Government." It is well fitted to take a fresh outside look at intelligence, even though it has no authority and will be able merely to suggest and advise rather than to control and supervise.

But there have been so many intelligence failures, so much friction, and such sharp criticism, particularly of the CIA, that the appointment of the citizens board should not preclude the establishment of a continuing and permanent congressional watchdog committee.

Such a committee could act, in the same manner as the Joint Congressional Atomic Energy Committee, as purse watcher, supervisor, guardian, sponsor, and defender of the CIA. It could give a constant and more thorough supervision to our intelligence activities than could any periodic check.

The two committees, working together, would be mutually supporting. They should insure as far as human checks and balances can do, a proper support for, and control of, our powerful intelligence organizations. This the citizen committee alone cannot do.

The need for such support and control should be obvious. As the President said, "prompt and accurate intelligence is essential to the policymaking branches of Government." But it is more than that. It could mean national life or death in the atomic age.

On the other hand, uncontrolled secret intelligence agencies are in a position to dominate policymaking, and hence government. Their very secrecy gives them power; there are few to accept or reject their findings. Their facts do not pass through the sieve of congressional debate or public inquiry. Few, even in the executive branch, know what they do.

The CIA, for instance, by the very breadth of its charter, is beyond the normal checks and balances of the law. An overpowerful secret intelligence agency is dangerous, not alone to the formulation of sound policy, but to the viability of democratic institutions.

#### RECORD IS SPOTTY

The intelligence record of the Nation and of the Central Intelligence Agency in particular is spotty. There have been notable successes but also notable failures. The Hoover Commission's public critique was politely critical of some of our shortcomings.

The secret report of the same Hoover Commission task force on intelligence is far more critical.

Lt. Gen. James H. Doolittle, a member of the President's new board, investigated CIA and other intelligence activities in Germany a year ago and found much overlapping and ineffectiveness.

Late this summer, Maj. Gen. Arthur G. Trudeau, Assistant Chief of Staff of the Army for Intelligence, was relieved after Mr. Dulles had sent a long and detailed bill of com-

plaints against General Trudeau to the Pentagon.

A great many other incidents also suggest that all is not well with our intelligence establishment.

It can only profit from the new committee. But it could profit more from a permanent congressional watchdog committee. If war is too important to be left to the generals, it should be clear that intelligence is too important to be left unsupervised.

#### CITIZENS COMMITTEE FOR THE

##### HOOVER REPORT,

Washington, D. C., March 5, 1956.

HON. MIKE MANSFIELD,

Senate Office Building,

Washington, D. C.

DEAR SENATOR: During a recent conference in Helena, Mont., the Citizens Committee for the Hoover Report passed a resolution supporting your Senate Concurrent Resolution 2 which implements recommendation No. 1B of the Hoover Commission Report on Intelligence Activities in the Federal Government.

The attached editorial which appeared in the February 28 issue of the San Francisco Examiner also supports your resolution. We would appreciate very much if you would have the Citizens Committee resolution and this editorial inserted in the CONGRESSIONAL RECORD.

Very truly yours,

HARVEY HANCOCK,  
Regional Director.

#### CITIZENS COMMITTEE FOR THE

##### HOOVER REPORT,

Washington, D. C., March 13, 1956.

The Honorable MIKE J. MANSFIELD,

United States Senate Office Building,

Washington, D. C.

DEAR SENATOR MANSFIELD: I am gratified to learn that you are anxious to have the views of the Citizens Committee on the Hoover Report concerning Senate Concurrent Resolution 2, that you have introduced in the Senate.

This Concurrent Resolution would create a Joint Congressional Committee on Central Intelligence to "make continuing studies of the Central Intelligence Agency and of problems relating to the gathering of intelligence affecting the national security and its coordination and utilization by the various departments, agencies, and instrumentalities of the Government." The Committee would be composed of six Members from each House of Congress.

The Commission on Organization of the Executive Branch of the Government recommended in its report on Intelligence Activities:

"That the Congress consider creating a Joint Congressional Committee on Foreign Intelligence, similar to the Joint Committee on Atomic Energy."

This recommendation was based on a detailed study of our intelligence activities that was made for the Commission by a group of eminent citizens. This group pointed out concerning the Central Intelligence Agency that:

"The act" (creating it) "exempts the Agency from compliance with any provision of law limiting transfers of appropriations; any requirements for publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency; and any regulations relating to the expenditure of Government funds. \* \* \*

"The task force fully realizes that the Central Intelligence Agency, as a major fountain of intelligence for the Nation, must of necessity operate in an atmosphere of secrecy and with an unusual amount of freedom and independence. Obviously, it cannot achieve its full purpose if subjected to open scrutiny and the extensive checks and

balances which apply to the average governmental agency.

"Because of its peculiar position, the CIA has been freed by the Congress from outside surveillance of its operations and its fiscal accounts. There is always a danger that such freedom from restraints could inspire laxity and abuses which might prove costly to the American people."

Thus, this group of able citizens found that there was no effective control over intelligence agencies. On principle, such a situation is undesirable, but in addition the task force found that there were defects in the organization and function of our intelligence agencies. Thus it concluded that:

"The task force is deeply concerned over the lack of adequate intelligence from behind the Iron Curtain. Proper directional emphasis, aggressive leadership, boldness and persistence are essential to achieve desired results."

"The task force feels that certain administrative flaws have developed in the CIA, which must be corrected to give proper emphasis and direction to its basic responsibilities."

These conclusions of the task force were endorsed by the Commission.

It is significant that the first Commission on Organization of the Executive Branch of the Government in 1949 in its report on the National Security Organization recommended (Recommendation 4c):

"That vigorous steps be taken to improve the Central Intelligence Agency and its work."

The Commission on Organization of the Executive Branch of the Government in its 1955 report on Intelligence Activities was anxious that Congress have adequate information concerning the operation of our foreign intelligence activities while still preserving the secrecy required for national security.

I am pleased to inform you that the Citizens Committee on the Hoover Report believes that House Concurrent Resolution 2, would if enacted implement fully the recommendations of the Commission that there be created a Joint Congressional Committee on Foreign Intelligence.

Yours sincerely,

CLARENCE FRANCIS,  
Chairman.

#### ORDER FOR RECESS TO WEDNESDAY AT 11 O'CLOCK A. M.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until Wednesday, April 11, 1956, at 11 o'clock a. m.

THE PRESIDING OFFICER. Without objection, it is so ordered.

#### ESTABLISHMENT OF JOINT COMMITTEE ON CENTRAL INTELLIGENCE

The Senate resumed the consideration of the resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence.

Mr. SALTONSTALL. Mr. President, I rise to speak very briefly on the subject matter of Senate Concurrent Resolution 2. When the Senate discusses the subject again on Wednesday, I hope to make further remarks in more detail concerning it. I may add that I respect the sincerity of the Senator from Montana in submitting the concurrent resolution. He has discussed the matter a number of times, and I know he believes in the objective of



the resolution and the creation of such a joint committee as is provided for. Personally, I do not think the administration of the Central Intelligence Agency would be improved by the creation of another joint congressional committee.

Mr. President, all of us want security for our country, and all of us want our country to have the best possible defenses. All of us want the best and most accurate intelligence reports to be obtained. All of us want to protect the lives of those who are engaged in this work. All of us want to protect our sources of information. There is no difference between us in regard to these matters. The difference comes in regard to the methods to be employed.

First, let me say that the Federal Bureau of Investigation—an agency whose work and whose leader all of us respect—provides us with sources of information within the United States. There is no criticism of the FBI of which I know; there is no effort to set up a joint committee to supervise it.

Second, our intelligence sources, which provide us with information from outside the United States are threefold: One is the State Department, which has its ambassadors and consuls and their staffs. Next, there are the armed services, which have their official aides in our embassies. Finally, there is the CIA. In broad outline, that Agency does for us outside the United States the work the FBI does inside the United States.

Let me say that there is complete coordination and almost daily interchange between these two agencies concerning information and intelligence. Naturally, the methods of the CIA are different from those of the FBI. The methods of operation of the CIA vary in the several countries where it operates; but its aim is to provide the United States with information which will help us to be more secure, and to carry out within its jurisdiction the orders which may be given it by the highest executive agency which protects us, namely, the National Security Council.

Some of the work of the CIA may be done in the open. But most of its work is absolutely under cover. If it were not under cover, the CIA would not function, for the simple reason that its sources of information would dry up very quickly; in many places its agents would be quickly liquidated or forcibly evacuated. So one point is crystal clear: There is no secrecy for secrecy's sake. There is secrecy because by means of secrecy, results can be obtained. Without secrecy, nothing would be accomplished, and the lives of many brave men would be sacrificed. In broad outline, that is the situation which confronts us today.

As the majority report points out, before World War II we had no service of this character. Instead, we relied upon our friends in other nations, or upon our guesses, or upon whatever information the State Department or the armed services could pick up. But we soon found that was not enough for the strongest free nation to have, in order to function. So President Roosevelt asked Colonel Donovan to organize the OSS. It functioned under his leadership

during the war years. Later, its work was continued by two agencies created by Executive order, until the National Security Act in 1947 created the Central Intelligence Agency, as we know it today. The amendments to the National Security Act of 1947 which were passed in 1949 set up its procedures.

The CIA is essentially an executive agency under the direction of the National Security Council, which is the highest policymaking body for our security. The functions of the CIA are threefold, in broad general outline: First, intelligence, both covert and overt; second, activities ordered by the National Security Council; third, the coordination of intelligence. It coordinates that intelligence in Washington and reports it to the National Security Council. The CIA is not, I repeat, a policymaking body.

As has been pointed out, at the present time the CIA is supervised by subcommittees of the congressional Armed Services Committees, under whose jurisdiction the CIA comes, and by subcommittees of the Appropriations Committees of the Congress. If the work of the Members of Congress who serve on those subcommittees is not well done, the members of those subcommittees should be blamed. Let that be done, instead of creating a new agency to duplicate or take over the work which now is being done by 2 regular, legalized committees of the Senate and 2 regular, legalized committees of the House of Representatives.

As the Senator from Montana [Mr. MANSFIELD] has said, several commissions have studied the work of the CIA and have submitted reports thereon. That was done by the Hoover Commission, and also by the so-called Clark Commission, headed by General Mark Clark, which I believe served under the Hoover Commission. Its report was made to the President. A portion of it was made public; and a part of it was not made public, for the sake of security.

The Senator from Montana has referred to the establishment of the Joint Committee on Atomic Energy as a precedent for the establishment of a new congressional joint committee on the CIA. Let me point out that there is an essential difference between the work of the Atomic Energy Commission and the work of the CIA. The Atomic Energy Commission is a manufacturing commission. It is the first agency of the Government, I believe, which actually is in the manufacturing business. It has continual activities which are subject to congressional consideration, in connection with proposals for legislative changes. The work of the Atomic Energy Commission is constantly changing. The Commission makes annual reports.

On the other hand, the CIA has made very few requests for legislation. As I have stated, it is an executive agency, similar to the Federal Bureau of Investigation or similar to the Department of Agriculture or the Department of the Interior or other executive departments. The CIA does not often have changes made by means of legislation in its fundamental structure.

So the work of Congress in supervising the CIA from a legislative point of view is essentially that of seeing that its funds are properly spent and that its activities are properly carried out in the way intended by Congress. As I have said, such supervision is now being conducted by a subcommittee of the Senate Armed Services Committee and a subcommittee of the Senate Appropriations Committee, and is similarly conducted in the House of Representatives.

The Senator from Montana has referred to the functioning of the staff of the proposed joint committee. I do not see how such a staff could possibly conduct investigations of its own. I do not see how the members of such a staff would be able to investigate to any great degree the work of the CIA, for the simple reason that the necessary papers and the personnel with whom it would be essential to have discussions are within the National Security Council. Therefore, unless the matter under inquiry could be discussed openly, the staff members would not be able to obtain any information other than that which the Members of Congress now are able to obtain if they themselves request it.

In other words, the work of the CIA is essentially the work it does under the orders of the President and the National Security Council; and, as such, it must do that work. As I have said, I do not see how the staff members of the proposed joint committee could investigate the work of the CIA or could steer it into new and useful lines of endeavor.

Very briefly, those are the reasons why I oppose the establishment of a new committee. I happen to be a member of both subcommittees to which reference has been made. If the members of the subcommittees are not now doing their work properly, let them take the blame, and let new members be placed on those subcommittees.

On the Subcommittee of the Armed Services Committee at present are the distinguished Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], the Senator from New Hampshire [Mr. BRIDGES], and the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], and myself.

The members of the Subcommittee of the Committee on Appropriations, of which subcommittee I was formerly chairman, are the Senator from Arizona [Mr. HAYDEN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Georgia [Mr. RUSSELL], and, on the Republican side, the Senator from New Hampshire [Mr. BRIDGES] and myself.

We have gone into the subject to the degree we believe necessary to determine that the CIA is functioning properly. If we do not do our work, we should be the ones to be criticized, and we should be given suggestions as to what policies should be carried out.

For those reasons, briefly, I am opposed to the concurrent resolution. This is not a subject that can be discussed at length, because it is surrounded with security problems. I am opposed to the concurrent resolution which the Senator from Montana has submitted, although, as I say, I know that he is sincere, and

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I hope he accords me the same credit in opposing his resolution.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MANSFIELD. The distinguished senior Senator from Massachusetts has a very high credit rating with me, I assure him.

Mr. SALTONSTALL. I appreciate that statement.

Mr. MANSFIELD. I am delighted at the high level upon which the Senator has kept the discussion of the concurrent resolution.

Did I correctly understand the Senator to say that the National Security Council is the chief policy-determining body of the Nation?

Mr. SALTONSTALL. For defense purposes. That is my understanding. I shall be glad to be corrected if I am mistaken. The President, as the head of the executive department, conducts foreign policy through the State Department. He conducts security policies through the Defense Department; and the CIA is an administrative agency which funnels to the National Security Council the information which the State Department, the Defense Department, and the CIA obtain in various parts of the world. The information comes to the National Security Council, where it can be used as a basis for the determination of the policies best fitted to promote our security. That is my understanding.

Mr. MANSFIELD. I now understand a little more clearly the question raised by the Senator from Massachusetts. The Senator says that if there is any fault, the members of the subcommittees are the ones who should be replaced. I assure the Senator that in my opinion the members of the various subcommittees are not the ones at fault. The concurrent resolution specifically provides that the membership of the new committee shall be composed of Senators and Representatives who at present are members of the CIA subcommittees in both the House and Senate.

Mr. SALTONSTALL. I understand.

Mr. MANSFIELD. I have nothing but the highest regard and esteem for all the Members who comprise the subcommittees, both Republicans and Democrats. All I am saying is that this activity should not be conducted on a subcommittee basis, but that a joint committee, with regular standing, should be appointed. It should have a small staff, so that an outlet could be furnished for the Congress, and the security and welfare of the CIA could be further insured.

From the remarks of the Senator, and from our personal conversations, I know that he understands my position on this question. I assure him that I understand his position, and have nothing but the highest regard for him.

Mr. SALTONSTALL. The sentiment is mutual. I thank the Senator.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President, I had not intended to discuss Senate Concurrent Resolution 2 today. However, I believe the remarks of the Senator from Massa-

chusetts make it imperative that they be answered before the Senate adjourns today.

I think the Senator from Massachusetts knows that I hold him in exceptionally high regard. However, I have differed with him many times with regard to the administration of both military and foreign policies. In my judgment, our difference is very basic. As I see it, our difference is that I believe in putting to full and complete use our system of checks and balances. I have interpreted a great many of the positions of the Senator from Massachusetts, as I interpret his position today, as indicating what I consider to be an undue and unsound willingness to delegate to the executive branch of Government control which should always be vested in the people of the country through their elected representatives in the Congress. So I rise now to answer what I consider to be a complete fallacy of argument by false analogy used by the Senator from Massachusetts.

The Senator from Massachusetts compares the CIA with the FBI, and says that the procedure followed in regard to the FBI corresponds to the procedure followed in respect to the CIA. I deny it. I deny it because of the many checks which we exercise with respect to the FBI as a branch of the Department of Justice and do not exercise in respect to CIA. We are constantly checking the FBI. We check it with full disclosure in connection with appropriations. We check it with full disclosure in regard to the salaries paid by the FBI. We have neither such check on the CIA.

We check the FBI also in respect to its jurisdiction. We check it in respect to the authority we give it, and we check it—although not to the degree I think we should—even in respect to the type of files it maintains and the evidence it collects and the use to which it puts its files. We exercise some check on it even in respect to so-called secret information.

For some years past, in almost every session of Congress, we have gotten into a little difficulty with the FBI over the question whether or not the Congress, as the legislative body of the people of the United States, shall have access to the information we think we are entitled to, when we consider there is a possibility of a wrong being done by the FBI. What happens then? I think the record is replete with instances of at least exercising a check upon the FBI to the extent that representatives of the FBI sit down with the chairmen of the committees concerned, and with the majority and minority representatives of such committees, and make available the material in their possession in connection with some alleged injustice. In such cases Congress has called for the FBI files so that they can be examined in order that we may determine whether or not we should impose further checks on the FBI.

Thus in the operation of the so-called FBI internal police system it is simply not true that we fail to exercise checks upon it, as has been contended by the Senator from Massachusetts this afternoon.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. SALTONSTALL. Let me say to the Senator from Oregon that I respect his sincerity in the position he takes.

Mr. MORSE. I thank the Senator.

Mr. SALTONSTALL. As I see it the checks on the FBI, through the chairman of committees, or through the ranking members of committees, are the same checks that we exercise with respect to the CIA.

As I say, the information which we obtain as members of the subcommittee is available, so far as it can be made available consistent with security purposes, to Members of the Senate in open debate or in executive session. So I think the procedure is the same in that regard.

Mr. MORSE. There are many recollections I could make to the statement of the Senator from Massachusetts.

Consider, for example, reports from the Committee on Appropriations. Compare the FBI reports with the CIA reports, as they relate to the Committee on Appropriations.

The FBI makes full public disclosure to the American people with regard to the amounts appropriated, and the uses to which they are put. That is not true with respect to the CIA. As a member of the Committee on Appropriations, the Senator from Massachusetts may know something with respect to the CIA which I, as a member of the Foreign Relations Committee, do not know, and which the American people do not know. That is what I am protesting against. I see nothing about any Member of the United States Senate which should entitle him to any information which is denied to the entire membership of the Senate as representatives of the American people.

We are dealing with America's spy system when we are dealing with the CIA; and when we are dealing with America's spy system, we had better take care that we do not deal with a police state system. We do not have to fight communism with a police state system. We did not have to fight Nazism with a police state system. We had better keep in tact the system of checks provided by our form of government.

I wish to say to the Senator from Massachusetts that when he countenances and gives support to the kind of procedure which exists in the handling of CIA—and I say this most respectfully—he is supporting a form of American police state system. Never will my voice be raised in defense of it. I believe the manner in which the American spy system functions ought to be known by all the members of the Armed Services Committee and by all the members of the Foreign Relations Committee. We do not know it today. The Senator from Massachusetts stands on the floor of the Senate today and makes an argument in support of an exclusive system under which certain favorite cases are picked out and given certain secret information. That is not a system of checks and balances, I say most respectfully to the Senator from Massachusetts; it is government by selection.

## CONGRESSIONAL RECORD — SENATE

April 9

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. SALTONSTALL. As the Senator well knows, I would never support any kind of police state system. That is furthest from my mind. I am trying to support a system which is making an effort to obtain for us the necessary information on which to base our security policies. In doing that we are trying to protect the lives of men who are endeavoring to get the information for us. Those are brave men.

Mr. MORSE. Mr. President, the Senator from Massachusetts would not support a system with the label "police state" pinned on it. I say to him again most respectfully that when he defends the present CIA system, he defends a spy system that is based upon a police state procedure. I say that because when such procedures keep away from elected officials of a free people and from the people themselves facts which are important to them, then they constitute, in my judgment, a police state procedure. I shall never support it.

I believe it is very important that we maintain a legislative check on the spy system our Government maintains around the world. I say that because if that spy system miscarries, if it is not based upon sound procedures, it can get us into a great deal of trouble.

I wish to say something about the argument the Senator is making, from the standpoint of security. During my 11 years in the Senate, whenever we try to discuss this subject, some Senator rises, as the Senator from Massachusetts has done, and argues that we have to do a certain thing in the interest of security. I say that is an unsound argument. I feel that America is most secure when there is a full public disclosure made to the elected representatives of the people of the facts about our foreign policy.

We cannot escape the fact that CIA has a great deal to do with forming the foreign policy of the United States. As it makes its report to the Secretary of State, as it makes its report to the National Security Council, and as it makes its report indirectly to the President of the United States, it is bound to influence foreign policies.

That is why the Senator from Massachusetts has heard me say so many times—and I repeat it because it is a truth that must be drummed into the thinking of the American people—that our rights as free people are no better than our procedural rights.

We had better always look at the procedure we are defending. Let us forget labels for a minute. Let us forget all the talk about security. Let us, instead, ask what the procedure is that we countenance.

I say to the Senator from Massachusetts that under the procedure he countenances in regard to the CIA, there are being kept from the American people and their representatives in Congress facts which in my judgment they ought to know. They are facts which go into the formation of American foreign

policy. I am worried about America's foreign policy.

If the Senator from Massachusetts wishes to know why I believe the Secretary of State stumbles so much, it is because we do not have sufficient check on him in regard to the policy he follows, which we discover only too late as a result of his stumbling.

I believe the pending concurrent resolution to be of great importance because it would give to the American people, through their representatives in the Congress a check on the activities of the CIA, for the resolution would establish a joint committee which would have as its primary and sole duty checking on the functions of the CIA.

I cast no reflection on the Senator from Massachusetts and on the other members of the subcommittee. However, I wish to say that his membership on the subcommittee is not the major job of the Senator from Massachusetts. As a member of the Committee on Foreign Relations I do not have any information which has ever been given to me by the Senator's subcommittee with respect to the so-called checks the Senator has made on the CIA. The Senator says that if we had asked him for information he would have always been willing to give it to the Committee on Foreign Relations.

I happen to believe—and I say this most respectfully—that, if the Senator claims the subcommittee has been checking on the CIA, then the Senator should have been making reports right along, periodically, to the Committee on Foreign Relations. His subcommittee should have been submitting such reports. It should have been submitting such reports to the Committee on Armed Services and to the Committee on Appropriations. The three committees I have mentioned, the Armed Services, the Appropriations, and the Foreign Relations Committees, ought to be kept apprised of the subcommittee's findings and with respect to the information the subcommittee has gathered in regard to its so-called studies of CIA.

Mr. SALTONSTALL. Mr. President, will the Senator from Oregon yield? Then I shall not interrupt him any further.

Mr. MORSE. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I have never personally—and I make this a personal matter because I do not wish to speak for anyone else—asked the Joint Committee on Atomic Energy for any knowledge it may have obtained, either in private or open hearings, because I have always considered that those matters were of primary concern to that joint committee, and that they were handling the matter very well so far as I knew, and therefore I did not wish to have that kind of information given to me if it was not necessary for me to have it.

In the same spirit, we operate with the CIA. We discuss questions with them. If the Senator from Oregon were to ask me about certain information, I might be able to tell him, and tell him reasonably accurately. I have not done so in the past, because the Senator has not

asked me. I believe also that he has not asked for such information of the Joint Committee on Atomic Energy, particularly information which that committee may have obtained in its investigations.

Mr. MORSE. I should like to make two observations with respect to what the Senator has commented on. First, I should like to say that there is a great difference in the thinking of the Senator from Massachusetts and myself. How do I know what information I ought to have in regard to CIA that is in the mind of the Senator from Massachusetts and the other members of his subcommittee if he does not volunteer it?

If he has been conducting, as a subcommittee of the Senate, an investigation or a study of the CIA, and acquires information which has a bearing upon American foreign policy, I believe it to be his duty to inform the Committee on Foreign Relations, and not to wait for us to pitch in the dark and say, at a meeting of the Committee on Foreign Relations, "I wonder whether the subcommittee has something in which we might be interested." I believe, in carrying out my duty as a member of the Committee on Foreign Relations, I am entitled to that information.

I go back to the Saudi Arabian matter which I discussed earlier today. As a member of the Committee on Foreign Relations, I have been greatly concerned about what is going on in the Middle East. I believe we ought to have some information on it from the CIA. We ought to have some information as to what is going on in Saudi Arabia and in the other countries in the Middle East. The kind of joint committee that is called for in Senate Concurrent Resolution 2 will make that kind of information available to us. The joint resolution makes it the clear duty of the CIA to supply such information to us. The Senator's subcommittee has no such mandate from the Senate. I want a committee established that will have that kind of mandate. I want to have established a committee which will have as its duty periodically to report to the committees of the Senate the kind of information they can use.

I close by saying that what is represented in the debate today is a serious difference of opinion in the administration of our Government. Certainly a very dangerous trend has been developing in Government during the past quarter of a century. It is the trend toward Government by secrecy on the part of the executive branch of the Government. I want to know whether that trend is to continue, and whether, as the Senator from Massachusetts argues this afternoon, in the interest of security there is a body of information which ought to be kept secret from the elected representatives of the people.

I deny the premise. I say that under our constitutional system of checks and balances we must watch out for that kind of argument, because in my judgment such an argument indicates that dangerous shoals lie ahead, shoals which can easily wreck our whole ship of freedom which has been built up under our great Constitution.



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As this debate proceeds on Wednesday, I think we will have the right to get the answers from the subcommittee to which the Senator from Massachusetts has referred, in regard to some of their findings. If they do not want to give them to us in open session, I think we have the right to get them in executive session, because, Mr. President, when we are dealing with the CIA, we are dealing with America's spy system, and the American people have a right to know what kind of spying we are doing and what kind of policy we have. A spy system, unless it is very rightly handled, can be a major cause of war.

I see that my junior colleague is on the floor, and I shall defer the suggestion of a quorum call, because I understand he wishes to address the Senate.

Mr. NEUBERGER. Mr. President—

The PRESIDING OFFICER. The junior Senator from Oregon.

#### UPPER COLORADO PROJECT GAINS APPROVAL BUT HELLS CANYON PROJECT STILL IS DENIED AUTHORIZATION

Mr. NEUBERGER. Mr. President, approval of the bill to authorize construction of the upper Colorado River storage project promises to become a new landmark in the history of the development of the arid West. The action reaffirmed the 50-year-old concept in the field of reclamation that the multiple-use functions of water resources should be dedicated to the material advancement of all the people within the drainage of a river basin.

I frankly admit that when upper Colorado River project legislation was introduced at this session of Congress, I had many reservations about its economic feasibility and its possible impact on national policy for protection of our national park system. During the course of debate I was especially impressed by the cogent arguments of the able Senator from New Mexico [Mr. ANDERSON] who serves with distinction as the chairman of the Subcommittee on Irrigation and Reclamation of the Interior and Insular Affairs Committee. In my opinion, his speech on the coordinate elements of the project and their relationship to the future development of the Rocky Mountain region was an outstanding declaration of the purpose of irrigation in the arid plateaus of the West. The able Senator from New Mexico gave real meaning to the project's usefulness in enhancing the welfare of both the region and the Nation. I became convinced that the upper Colorado River project, although a relatively high-cost development, was justified because of what it will mean to the future advancement of a large segment of our Nation's land area.

#### FEDERAL POWER REVENUES AND IRRIGATION

The principle established in the upper Colorado bill for use of power revenues to aid irrigation development is one which, transplanted to the Columbia River region, would provide thousands of new farming opportunities and convert to productive use a vast

area of fertile but now arid land. Irrigation developments such as the Crooked River, Bully Creek, Pendleton, John Day, and many other projects in the State of Oregon will be dependent on the use of surplus power revenues for their eventual construction. This form of aid to irrigation is needed to meet the costs which are beyond the ability of water users to pay. It is justified because of the contribution which such development makes to our Nation's supply of food and fiber.

I also thought that the upper Colorado project set forth another principle which should be applied to my native region, the Columbia River Basin. The theory that the interrelated use of water requires a basin wide approach to planning of river-development projects was clearly enunciated in the upper Colorado bill. Unfortunately, the Columbia River Basin—with the greatest potential for beneficial use of all our Nation's waterways—has been subjected to more haphazard treatment. The once-great pattern for Columbia River development—the Army's 308 Report—has been decimated by policies advanced by the present administration. Partnership schemes, surrender of priceless damsites to partial development, and attempts to deauthorize Federal projects have resulted in the shrinking of the Northwest's possibilities for flood control, power, and irrigation development. Perhaps the concept represented by the upper Colorado project will help put back the Columbia River Basin development on the road to proper development.

#### PRIVATE POWER COMPANIES SHUN COLORADO POWER

I have joined in the approval of the upper Colorado project because the provision has been eliminated which would have drowned out Dinosaur National Monument, a feature which I thought would set a precedent for endangering our entire national park system. Also, I endorsed the belief of upper Colorado project supporters that the area's water resources were in urgent need of immediate development.

However, Mr. President, there are certain aspects of the approval of the project which furnish a contrast that must be called to the attention of the American people.

While Congress has given approval to the upper Colorado project, it has denied approval to the Hells Canyon project. What does this mean? It means that, under this national administration, only those Federal water-resource projects evidently can gain authorization which have the sanction of the private-utility industry.

No private power company would think of undertaking development of the marginal, high-cost waterpower sites involved in the upper Colorado project. A very influential power company, the Idaho Power Co., covets the magnificent hydroelectric site at Hells Canyon, along the Snake River, on the Oregon-Idaho boundary.

Thus, the administration pushes the upper Colorado project, while simultaneously choking the Hells Canyon project.

Approval of the upper Colorado project—combined with denial of approval to the Hells Canyon project—sets the pattern for a program of letting the United States Treasury finance development of the dregs of our national waterpower sites, while the cream of these sites are given away to private utility corporations.

SEVEN HUNDRED AND FIFTY-SIX MILLION DOLLAR PROJECT IS APPROVED, THREE HUNDRED AND EIGHT MILLION DOLLAR PROJECT IS SCUTTLED

There is no other possible interpretation of this contrasting action in the case of the two projects. The sites in the Rocky Mountain area, where there is low and undependable stream flow, are reserved for Uncle Sam. The sites in the Pacific Northwest, where there is 40 percent of all the untapped hydroelectricity in the United States, are bestowed upon the private utilities.

Mr. MORSE. Mr. President, will the junior Senator from Oregon yield?

Mr. NEUBERGER. I am happy to yield.

Mr. MORSE. Is it not true that, apparently, they are reserving those sites because the development of power at those sites would be so expensive that no private utility company would want to undertake their development?

Mr. NEUBERGER. That is quite obvious. The sites which this administration is willing to set aside for public development are those which are so uneconomical, so uneconomical that no private utility company would think of risking its capital in trying to develop them.

Mr. MORSE. Is it not true that the sites which are being turned over to private utility companies under this administration are the sites which, under Government operation, could generate power at rates from 2.5 mills to 3.5 mills, whereas private utility companies at the same sites would generate and sell power at from 5 mills to 7 mills?

Mr. NEUBERGER. Even from 5 mills to 9 mills, I will say to my distinguished colleague.

Mr. MORSE. Has the Senator read in the newspapers that the present Secretary of the Interior says that he has never given anything away?

Mr. NEUBERGER. Evidently, he has never heard of Hells Canyon.

Mr. MORSE. Or, apparently he cannot figure the difference between 2.5 mill to 3.5 mill power and 5 mill power to 7 mill power. Every time he has been a party to making available to private utility companies great multiple-purpose dam sites of great value to the American people, and belonging to the American people, he has given away millions of dollars which, in the last analysis, belong to all the taxpayers of the country. Is not that true?

Mr. NEUBERGER. I think it is true.

Mr. MORSE. Is it not also true that the Secretary of the Interior, in effect, would give away the value of the high dam at Hells Canyon to private companies if they should succeed in the last analysis, in defeating us in our fight to have the Government develop Hells Canyon?

Mr. NEUBERGER. The Senator is too generous in his description of the Secretary's action. Not only did the Secretary of the Interior intervene in the Hells Canyon fight, but he actually intervened on the side of the Idaho Power Co. He stated before the Chamber of Commerce that he believed the Hells Canyon reach of the Snake River to be the finest water power site remaining on the North American continent.

Mr. MORSE. Is the Senator aware that the Secretary, in recent testimony before the Joint Committee on the Economic Report referred to the high Hells Canyon project as a white elephant? The testimony of the Secretary's own engineers before the Senate and House Interior Committees was very explicit that the Hells Canyon Dam is feasible, and the Army engineers have consistently supported the Hells Canyon dam site, as did General Itschner in regard to its flood-control benefits in recent testimony.

I asked General Itschner whether the Army Engineers still held the same opinion as to Hells Canyon Dam, and his answer was in the affirmative. Yet, now, the Secretary of the Interior has turned over, by way of recommendation, the Hells Canyon site, to the Idaho Power Co., a site containing many millions of dollars of value and belonging to all the people of the United States. Does the Senator agree with me?

Mr. NEUBERGER. I not only agree totally, but, again, I think the Senator is somewhat too generous. When the Secretary of the Interior used the term "white elephant" to describe the Hells Canyon site he was using the identical language employed by the opponents of Grand Coulee approximately a quarter of a century ago. Yet, Grand Coulee, now in operation, is not only the greatest power producing project anywhere on the face of the earth, and not only has it resulted in thousands of farms where ex-GI's are profitably raising crops, but Grand Coulee is \$65 million ahead of schedule in paying back into the Treasury of the United States the investment in its power facilities. Grand Coulee was called a "white elephant," just as the Secretary of the Interior refers to the proposed Hells Canyon high dam as a white elephant. I would say it is a singularly inappropriate choice of language on his part.

Mr. MORSE. Mr. President, I wish to commend my colleague for the speech he is making this afternoon, and I shall make use of it in the months ahead.

Mr. NEUBERGER. I am gratified that the Senator feels that it is of value to him.

Mr. President, speaking as a Senator from Oregon, I regard it as significant that the three Republican Members of Congress from my State, who have opposed Federal development of Hells Canyon, all voted for passage of the upper Colorado Federal project.

Mr. President, I believe in development of the Whole West. Occasionally that development requires high-cost and un-economic projects of the type of the upper Colorado. This has been necessary before in arid and sparsely-settled regions. But, Mr. President, I would

not be so inconsistent as to support this \$756 million project in the Rocky Mountains and yet abandon a \$308 million project, of greater economic worth and validity, on the frontiers of my own State.

Let us study some amazing facts, Mr. President.

Total cost of the three main upper Colorado Dams—Glen Canyon, Flaming Gorge, and Curecanti—is \$735,256,000. Of this sum \$469,715,000 has been assigned to be paid back out of power revenues. The average net annual output of these three principal upper Colorado dams is 3,500,000,000 kilowatt-hours of electricity.

Total cost of Hells Canyon high dam is \$308,500,000, of which \$270 million would be assigned to be reimbursed from power revenues. The annual average production of electricity at Hells Canyon would be slightly over 5 billion kilowatt-hours.

Thus, upper Colorado project dams will contain power facilities costing 74 percent more than the power facilities at Hells Canyon, but the upper Colorado plants will generate only 70 percent as much energy. Upper Colorado power, therefore, is about two and a half times more expensive than Hells Canyon power.

This comparison, Mr. President, strips all seven veils from the power program of the present Republican administration. It shows that the marginal and costly sites are reserved for Federal development. The magnificent and low-cost sites are given away on a platter to the private utilities. As we sit here in this Chamber authorizing the upper Colorado project, with its high-cost power, the Idaho Power Co. proceeds with preemption of the Hells Canyon hydroelectric site on the Snake River. The administration has backed upper Colorado, it has scuttled Hells Canyon. Skim milk for the public, whipped cream for the private power companies.

#### SKIM MILK FOR PUBLIC, WHIPPED CREAM FOR THE UTILITIES

Mr. President, this administration in the field of natural resources has turned back the clock half a century, to before the era of Teddy Roosevelt and Pinchot. Nowhere is that tragedy more grippingly emphasized than in the Federal authorization of the upper Colorado project and the denial of Federal authorization to Hells Canyon. My region, the Pacific Northwest, is paying the penalty because its power sites are so valuable. Were the power sites in the Pacific Northwest low in flow and dubious in quality, like those in the upper Colorado Basin, we, too, would be sharing in Federal Government authorization today. We are penalized because our power sites are sterling in quality, and so the private utilities insist upon preempting them.

In conclusion, Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "Partners in Plunder," written by me, and published in the Progressive for July 1955, and also an illuminating editorial entitled "Developing a River," published in the New York Times of March 3, 1956. I call special attention to that portion of the Times editorial

which questions why the administration is prepared to build the costly upper Colorado project, but not the Hells Canyon project, "With greater promise of economic returns."

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

#### PARTNERS IN PLUNDER

(By RICHARD L. NEUBERGER)

Conservatives in the United States sigh with relief these days, now that the Republican administration has stopped the creeping socialism of public-power projects on the great rivers of the Nation. The President even cites approvingly at press conferences a book entitled "Big Dam Foolishness," with the implication that no such foolishness will be tolerated while he resides at No. 1600 Pennsylvania Avenue.

Liberals, conversely, are distressed over the fact that they evidently have seen the last of the great Federal dams as long as the present administration is in office.

Both groups happen to be substantially in error.

The Eisenhower administration is not opposed to public-power projects per se. It is only opposed to those projects which would be located at dependable low-cost sites, sure to pay off handsomely for the United States Treasury. At the same time the administration fervently favors public-power projects at locations where the energy will prove expensive and thus quite likely be a financial liability in decades to come. When historians begin pronouncing judgment on this administration, they are certain to be puzzled by a regime supposedly wedded to fiscal solvency but which, nonetheless, has insisted that the Government ought to develop only hydroelectric sites that promise scant possibility of achieving financial success.

This irony is symbolized by the administration's contrasting attitudes toward the Columbia and the Colorado Rivers.

The Columbia is the grandest stream for hydroelectricity on the continent, perhaps in the world. It carries down to the sea the snows and glaciers that melt all the way from Canada's distant Arctic divide to the Coast Range. The Columbia combines the hurrying gradient of a mountain brook with the massive volume of a Niagara; actually, greater than Niagara. Its flow is reliable and steady. The late J. D. Ross, first Administrator of Bonneville Dam, told me that the Columbia was a coal mine which would never thin out, an oil well that could never run dry. Furthermore, the Columbia's broad bosom is suitable for ocean commerce as far as The Dalles, safely inland of the backbone of the Cascades. In the Columbia and its tributaries lurks 42 percent of the undeveloped waterpower of this entire Nation.

The Columbia River drains approximately 180 million acre-feet of water to the Pacific. The average flow of the Colorado, by comparison, amounts to merely 16,270,000 acre-feet, or less than 10 percent the drainage of the Columbia. In fact, even the Columbia's principal tributary, the Snake River, has a volume of 37 million acre-feet, which is more than double that of the Colorado. Within the surging reaches of the Columbia and its feeder streams a total of 31,369,000 kilowatts of power remains to be tapped. But undeveloped power in the basin of the Colorado totals only 5,056,000 kilowatts; this is about 16 percent of the residual strength of the Columbia.

On the Columbia River, where generating costs are low because of the Columbia's vast potential, the Eisenhower administration has decided that Federal dams would be ideologically and financially unwise. During the 1954 campaign Secretary of the Interior McKay cited the huge Federal debt as a compelling reason why further Govern-

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## CONGRESSIONAL RECORD — SENATE

5411

S. 3269. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

# ESTABLISHMENT OF JOINT COMMITTEE ON CENTRAL INTELLIGENCE

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there further morning business? If not, morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand, there are several committee amendments. Under the unanimous consent agreement, debate on any amendment is limited to 1 hour; and the time on each committee amendment is to be controlled by the chairman of the Committee on Rules and Administration, the distinguished Senator from Rhode Island (Mr. GREEN), and by the majority leader or the minority leader. Is that correct?

The PRESIDING OFFICER. The Senator's statement is correct. There are about a half dozen committee amendments to the concurrent resolution.

Mr. MANSFIELD. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. As I understand, debate on the resolution itself is limited to 2 hours.

Mr. JOHNSON of Texas. There are several committee amendments which are to be acted on first. If any Senator desires time, time can be yielded on an amendment; and the unanimous-consent agreement provides also for 1 hour to each side on the bill.

Mr. HAYDEN. Mr. President, I am opposed to the concurrent resolution and have filed minority views. I should like to have some time allotted to me so that I may speak in opposition to the concurrent resolution.

Mr. JOHNSON of Texas. Under the unanimous-consent agreement, the Senator can be yielded time by either the majority leader or the minority leader. Does the Senator wish to have time yielded to him?

Mr. HAYDEN. I should like to speak for about 5 minutes a little later in the debate.

Mr. JOHNSON of Texas. Mr. President, would the Senator from Georgia be agreeable to speaking in opposition to a committee amendment?

Mr. RUSSELL. I merely wish to make a brief statement.

Mr. JOHNSON of Texas. Mr. President, may the clerk state the first committee amendment?

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The LEGISLATIVE CLERK. On page 3, 21, after "report", it is proposed to strike out "public."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the distinguished junior Senator from Georgia.

Mr. RUSSELL. Mr. President, I have such high regard for the ability and the patriotism of the distinguished junior Senator from Montana (Mr. MANSFIELD), who is the principal sponsor of the concurrent resolution, that ordinarily I am reluctant to differ with him on legislative matters. But in the case of the pending concurrent resolution, I can but believe that the efforts of the Senator from Montana are based upon a mistake of fact and a misapprehension of the functions of the Central Intelligence Agency.

I was unable to be on the floor Monday when the debate occurred on the concurrent resolution, but I have read in the Record all that occurred, and I do not find that there was advanced one substantial argument, predicated on established facts which would justify the Senate in adopting the concurrent resolution.

Some Senators who addressed themselves to the resolution on Monday last seemed to hold the opinion that the CIA was a policymaking agency. That theme ran all through the remarks which were made in advocacy of the adoption of the resolution.

Mr. President, the Central Intelligence Agency is far from being a policymaking agency. It makes no policy. It was established to coordinate all the activities of the various agencies of the Government which gather intelligence vital to our national security, to coordinate the intelligence thus obtained, to gather intelligence on its own initiative, appraise it, and present it to a policymaking body, one that is seldom heard of, but which is probably the most important policymaking body in our Government, namely, the National Security Council.

Mr. President, the argument was made that the failure to apprise Members of Congress of the detailed activities of the Central Intelligence Agency was an invasion of the prerogatives of the Congress. I will lay my record in this body, in defense of the prerogatives of the Congress of the United States under the Constitution, against the record of any other Senator who serves here today or

who has served during my tenure of office. I have jealously sought to guard every prerogative of the Congress. I complained when I thought those prerogatives were being taken over by the executive branch of the Government, when the President of the United States was a member of my own party, as I have when the President was a member of the Republican Party. I have complained about the invasion of the prerogatives of Congress by the judicial branch of the Government.

But, Mr. President, we go very far afield when we undertake to predicate a resolution of this nature on the right of individual Members of the Congress to know all the details of all the agencies of Government that are working in secrecy in an effort to secure information which would warn us, for instance, of a sneak act which might destroy us, or which would advise us as to the potential strength of the enemies who are arrayed against us.

There have been intelligence agencies in the Army since the beginning of our Government. There have been intelligence agencies in the Navy since the Navy was established. The Air Force has had its intelligence agency since the Department of the Air Force was created. To my knowledge, not once has a Member of Congress risen on the floor and said he was being denied his prerogatives because he was not informed as to all the activities of all the agencies which were seeking to gather vital security information. Now the situation has allegedly changed because, forsooth, the three departments have been coordinated into one. In addition, there has been brought into the picture the OSS, which did invaluable service behind enemy lines in World War II.

I shall not accept that argument. I do not believe we should announce a principle of that nature. I am proud of the Senate of the United States, but I must say that early in my service I became disillusioned on finding that information classified as secret which was given in committee in executive session, within a couple of days had trickled to the press of the Nation. That has been my one disillusionment with the Senate of the United States, and, indeed, with both bodies of the Congress.

I say here today that, in my judgment, it would be more desirable to abolish the CIA and close it up, lock, stock, and barrel, than to adopt any such theory as that all the Members of the Congress of the United States are entitled to know the details of all the activities of this farflung organization.

Mr. President, it was stated in the debate, which I read in the Record, that the Central Intelligence Agency does not present to the Congress a detailed budget estimate of all its expenditures. That statement is true. It does not present to the Congress an estimate such as comes from the Department of Agriculture, the Post Office Department, the Treasury Department, and other departments of government, because to do so would be to give the Soviet Union a



blueprint whereby it might readily run down and ascertain the activities and the identity of every person who is risking his life today in an effort to secure information which can be vital to the future of the United States.

I say, and I say it in the full conviction of the correctness of the statement, that one bit of information which has been used on 2 or 3 occasions is well worth the total cost of the administration of all our security agencies. They undoubtedly waste some money. They make mistakes. They have not been able to penetrate behind the Iron Curtain and gather the last detail as to the strength of the Russian forces. Other agencies, such as the British intelligence, which was in existence long before our agency was, have likewise failed. That is certainly no reason for circumscribing the Central Intelligence Agency's efforts and hampering it at the very top, when the program is developing and bringing to us information which is of vital value.

There has been talk about the amount of money involved. I shall not state what it is, but I will state it is a very, very small percentage of the amount of tax money spent each year by the Armed Forces for research and development of new weapons. Certainly, we should not complain about a portion of the amount of money spent for research and development being expended in an effort to keep up with the activities of those arrayed against us in that field. I say no person would risk his life in carrying on this work if every Member of the Congress and the large staff of a new committee were in a position to know where that person was every day and to know the nature of the work in which he was engaged.

I was interested to learn that the distinguished author of the resolution said it was contemplated that the committee would have only a small staff. Every Senator present has had experience in that field. It is next to impossible, when a committee is created, to keep the staff down to the size intended originally. Every Senator knows of occasions when a committee has started with a small staff, with the assurance that it would be kept small, and in 2 or 3 years it has been extended all over the Capitol. Most of us are, instinctively, empire builders. We build in our own little field whenever we have authority to do so. It would not be long before the staff of the proposed committee would be large.

The point has been raised that there is not any committee supervision over the Agency. The Committee on Armed Services, and its predecessor committees, have, since the inception of the Congress, had jurisdiction over intelligence activities of the various branches of the service. During World War II that committee had supervision over the activities of the OSS. Therefore, it was but natural that the Armed Services Committee would be considered the parent committee of the Central Intelligence Agency.

I hope I have not been derelict in my duty in reference to this very important Agency. I appointed the subcommittee, having jurisdiction over it, which I am

confident is composed of as able men as any who sit in this body. The distinguished senior Senator from Virginia [Mr. BYRD], who is vigorously opposed to the resolution, the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Hampshire [Mr. BRIDGES], are members of that subcommittee.

On at least 2 occasions in each year, and more often on 3, we have had before us the head of the Central Intelligence Agency and his staff. We have never had them fail to respond to a single question we have asked them. They have been forthright and frank.

On the floor of the Senate the statement has been made, in effect, that we have not told all the country about what we have learned from the Central Intelligence Agency; and one Senator said the country was entitled to know. No, Mr. President; we have not told the country, and I do not propose to tell the country in the future, because if there is anything in the United States which should be held sacred behind the curtain of classified matter, it is information regarding the activities of this Agency. I repeat that it would be better to abolish it out of hand than it would be to adopt a theory that such information should be spread and made available to every Member of Congress and to the members of the staff of any committee. Rather than do that, it would be better to abolish the Central Intelligence Agency and, by so doing, to save the money appropriated and the lives of American citizens.

Mr. HICKENLOOPER. Mr. President, will the Senator from Georgia yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. RUSSELL. Yes; if I have the time.

Mr. HICKENLOOPER. Is the time limited?

Mr. RUSSELL. Yes; but I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I merely wished to make an observation and to ask a question of the Senator from Georgia.

Mr. RUSSELL. Certainly.

Mr. HICKENLOOPER. The Senator from Georgia and I have had some mutual experiences along this line. He was a member of the Special Committee on Atomic Energy, which was the predecessor of the present Joint Committee on Atomic Energy. At all times since its creation, he has been a member of the Joint Committee on Atomic Energy; and I have shared that experience with him, to my very great benefit. So I am intrigued and interested and very much moved by the argument of the Senator from Georgia.

Having served, myself, on the Joint Committee on Atomic Energy, and understanding that an attempt has been made by some Members, on the floor of the Senate, to draw an analogy between the Joint Committee on Atomic Energy and the proposed Joint Committee on Central Intelligence, I merely wish to say to the Senator from Georgia that I believe he is utterly correct in what he has

said. There is no real parallel between the problems confronting the two groups. The work of the Central Intelligence Agency is vastly different from that of the Joint Committee on Atomic Energy, even though probably it is not more vital and requires no greater secrecy than some of the activities of the Joint Committee on Atomic Energy, in its dealings with the atomic energy program.

But I myself cannot adopt the philosophy that because we have a Joint Committee on Atomic Energy and because its operations are secret, the establishment of a Joint Committee on Central Intelligence, to deal with the Central Intelligence Agency, is justified.

So I commend the Senator from Georgia on his very powerful and forceful argument along this line.

Mr. RUSSELL. Mr. President, I thank the Senator from Iowa for bringing out that point, which I had overlooked thus far in my discussion. The point he has mentioned has been raised.

I started serving with the Senator from Iowa on what was first the Special Committee on Atomic Energy, when it was created.

Mr. HICKENLOOPER. Yes, both of us were on that special committee, which was created to write the Atomic Energy Act.

Mr. RUSSELL. Yes. Since that time I have served—with great profit to myself—with the Senator from Iowa on the Joint Committee on Atomic Energy.

I have also served on the Committee on Naval Affairs, a predecessor of the present Armed Services Committee, since I have been a Member of this body. I state on my responsibility as a Senator that there is no comparison whatever between the activities of the Joint Committee on Atomic Energy and the activities of the Central Intelligence Agency or the contemplated activities of the proposed Joint Committee on Central Intelligence.

Mr. HICKENLOOPER. They operate in two different fields. Although secrecy is involved in both, the methods of operation and of accomplishment of the two groups are entirely different.

Mr. RUSSELL. Yes. For example, the Joint Committee on Atomic Energy has the duty of maintaining surveillance on a very large and important construction program, under which certain production is had. In that work, thousands of persons, including scientists, are employed; and a large part of that work is devoted to seeing to it that the production program and the construction program of the Atomic Energy Commission are maintained. But nothing whatever of that nature pertains to the secret intelligence work of such a group as the Central Intelligence Agency.

Mr. HICKENLOOPER. Mr. President, the Senator from Georgia has placed his finger on one of the most important differences between the two agencies. There are other differences, of course; but I shall not attempt to discuss them at this time. Suffice it to say that the operations of the two groups are fundamentally and basically different; and it is inherent in the operation of the CIA that it be given certain broad powers and authority, subject, in my